

EXHIBIT 3

SECTION 2.1 LAND USE ZONING

2.101 General Provisions

2.101.01 Establishment of Zoning

All areas within the corporate limits of the City of Woodburn are divided into distinctive land use categories which shall applied to all geographic areas of the City and recorded on the Official Zoning Map, as provided in ***Section 1.103*** of the ***WDO***. The use of the territory within a zoning district shall be limited to the uses specified in the zoning district.

2.101.02 Zoning Districts

The City of Woodburn shall be divided into the following zoning districts:

- A. **Residential Single Family (RS).**
- B. **Retirement Community Single Family Residential (R1S).**
- C. **Medium Density Residential (RM).**
- D. **Commercial Office (CO).**
- E. **Commercial General (CG).**
- F. **Downtown Development and Conservation (DDC).**
- G. **Nodal Neighborhood Commercial (NNC)**
- H. **Industrial Park (IP).**
- I. **Light Industrial (IL).**
- J. **Public and Semi-Public (P/SP).**
- K. **Neighborhood Conservation Overlay District (NCOD).**
- L. **Riparian Corridor and Wetlands Overlay District (RCWOD)**
- M. **Southwest Industrial Reserve District (SWIR)**

N. **Nodal Districts**

1. Nodal Single Family Residential (RSN)
2. Nodal Multi-Family Residential (RMN)

2.102 Single Family Residential (RS)

(Changes are proposed only to Section 2.102.06)

2.102.06 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the RS zone. If the RS zone has a Nodal Overlay on the Comprehensive Plan Map the dimensional standards of the RSN District, ***Section 2.115***, shall apply.

A. **Minimum Density**

A minimum density of 5.2 dwelling units per net buildable acre (after excluding public rights-of-way, public tracts, common open space, and land protected by the RCWOD shall be required for subdivisions.

B. **Lot Standards.**

Lots in an RS zone shall comply with the standards of ***Table 2.1.1*** and ***Table 2.1.2***.

(Table is on the next page.)

TABLE 2.1.1 Lot Standards for Residential Uses in an RS Zone* *EXCEPT
PUD's subject to *Section 3.109*

Use Type and Lot Location	Minimum Lot Area	Minimum Lot Width	Average Lot Depth	Minimum Frontage	Street
<p>A. Single Family Dwelling, Site Built; Group Home; Family Child Day Care; Manufactured Home, on a Lot; & Residential Sales Office</p> <p><u>Interior Lot</u></p> <p>1. For an interior lot.</p> <p><u>Corner Lot</u></p> <p>2. For a corner lot.</p> <p><u>Flag Lot**/** or Cul de sac Lot</u></p> <p>3. For either a <u>flag or cul de sac lot</u>.</p> <p>***Flag lot dimension and area standards EXCLUDE the driveway access, per Section 3.104.05 attached.</p> <p>***Within a subdivision, not more than one (1) flag lot shall be located behind another lot as shown in <i>Figure 6.6</i> attached.</p> <p>B. Duplex Dwelling on a Corner Lot</p> <p>1. For a corner lot.</p>	<p>6000 sq. ft.</p> <p>8000 sq. ft.</p> <p>6000 sq. ft.</p> <p>10,000 sq. ft.</p>	<p>50 ft.</p> <p>80 ft.</p> <p>50 ft. at the front setback line.</p> <p>80 ft.</p>	<p>90 ft.</p> <p>90 ft.</p> <p>90 ft.</p> <p>90 ft.</p>	<p>40 ft.</p> <p>50 ft.</p> <p><u>Flag lot</u>: The driveway access easement or strip of land per <i>Section 3.104.05</i>.</p> <p><u>Cul de sac lot</u>: 40 feet.</p> <p>50 ft.</p>	

TABLE 2.1.2 Lot Standards for Non-Residential Uses in an RS Zone
In an RS zone the lot area for a non-residential use shall be adequate to contain all structures within the required setbacks. There shall be no minimum width or depth.

C. Building Height.

The maximum height of buildings and structures shall not exceed 35 feet, EXCEPT chimneys, spires, domes, flag poles and other features (EXCEPT telecommunication facilities subject to **Section 2.204.03**) not used for human habitation, which shall not exceed 70 feet.

D. Setback and Buffer Improvement Standards.

1. Front Yard Setback and Setback Abutting a Street:

a. Dimensions:

- 1) The minimum setback abutting a street, or front property line shall be 20 feet plus any Special Setback, **Section 3.103.05**, EXCEPT:
 - a) For flag lot that provides a minimum setback of 12 feet in all yards; or
 - b) When the existing pattern of development requires the application of **Section 2.102.06.C.1.a.2)**.
- 2) When the lots abutting a vacant property are already developed and front the same street, the minimum setback abutting the street for the subject property shall equal the average setback of the existing, abutting residential buildings, plus or minus 5 feet, but in no case shall be less than 10 feet.

b. Off Street Parking, Maneuvering and Storage:

- 1) Off street parking and storage shall be prohibited within a required setback or any yard abutting a street EXCEPT for parking and maneuvering within a driveway leading to a garage (or carport in the case of a manufactured home) or adjacent to a wall.

- 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from the closest edge of a shared driveway and 20 feet from a street right of way line.
 - c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, **Section 3.103.10**.
 - d. Vehicular Access: Vehicular access shall be permitted in conformance with **Section 3.104**.
2. Interior Side Yard and Interior Rear Yard Setbacks
- a. Dimensions:
 - 1) Side Yard Setback. The minimum side yard setback shall be 5 feet EXCEPT for a flag lot. The side yard setback for a flag lot may be either one of the following:
 - a) 12 feet, when all yard setbacks are a minimum of 12 feet; or
 - b) 5 feet, when the rear yard setback complies with dimensions of **Section 2.102.06.C.2.a.2)a**).
 - 2) Rear Yard Setback.
 - a) The average rear yard setback (as defined in **Section 1.102**) for all lots, EXCEPT a flag lot shall be:
 - (i) 24 feet wide for structure up to 16 feet in height;
 - (ii) 30 feet wide for structure 16.1 to 28 feet in height;
 - (iii) 36 feet wide for structure 28.1 to 35 feet in height

with no point measuring less than 5 feet from the average dimension.
 - b) The minimum rear yard setback for a flag lot shall be either one of the following:
 - (i) A minimum 12 feet, when all yard setbacks are a minimum of 12 feet; or

- (ii) The dimensions of **Section 2.102.06.C.2.a.2)a)** when the side yards are a minimum of 5 feet.
- 3) The minimum setback from a private access easement shall be 5 feet.
- b. Off Street Parking, Maneuvering and Storage:
 - 1) Off street parking, maneuvering and storage shall be permitted in the side and rear yard setback subject to applicable Special Use and Accessory Use standards, **Sections 2.202.03 and 2.201.**
 - 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from the closest edge of a shared driveway and a minimum of 20 feet from a street right of way line.
- c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards of **Section 3.103.10.**

2.103 Retirement Community Single Family Residential (R1S)

(No changes are proposed to the R1S District)

2.104 Medium Density Residential (RM)

(Changes are proposed only to Sections 2.104.06 and 2.104.07)

2.104.06 Dimensional Standards

The following dimensional standards shall be the minimum requirements for all development in the RM zone. If the RM zone has a Nodal Overlay on the Comprehensive Plan Map the dimensional standards of the RMN District, ***Section 2.115***, shall apply.

A. Minimum Density

A minimum of 12.8 dwelling units per net acre (after excluding public rights-of-way, public tracts, common open space, and land protected by the RCW overlay district) shall be required, except for parcels less than one acre in size.

B. Lot Standards.

Lots in an RM zone shall comply with the standards for the subject use described in ***Tables 2.1.1, 2.1.5 and 2.1.6***.

(Table is on next page.)

TABLE 2.1.5 Lot and Density Standards for Duplex Dwellings; Multiple Family Residential Dwelling Units and Living Units; and MDP's in an RM Zone

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|---|
| <p>A. The minimum lot area for duplex dwellings on an individual lot shall be 8,000 square feet with a minimum width of 80 feet and minimum depth of 90 feet.</p> <p>B. There shall be no minimum lot area or dimensions for multiple family residential dwellings units or living units in the RM zone.</p> <p>C. The number of multiple family residential dwelling units; living units; or manufactured dwelling units within a MDP on a lot shall be regulated by:</p> <ol style="list-style-type: none"> 1. Maximum residential density, not exceeding the following standards: <ol style="list-style-type: none"> a. Multiple family dwellings: 16 dwelling units per net buildable acre. b. Assisted living facility (62331) or nursing care facility (6231): 32 living units per net buildable acre. c. Manufactured dwelling park: 12 dwelling units per net buildable acre. 2. Compliance with the applicable open space and site design standards and guidelines of <i>Sections 2.104.07.C. and 2.20315.</i> |
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TABLE 2.1.6 Lot Standards for Non-Residential Uses in an RM Zone

<p>The lot area for a non-residential use in an RM zone shall be adequate to contain all structures within the required setbacks. There shall be no minimum width or depth.</p>

C Building Height.

The maximum height of buildings shall not exceed 35 feet, EXCEPT chimneys, spires, domes, flag poles and other features not used for human habitation (but EXCEPT telecommunication facilities), shall not exceed 70 feet.

D. Setback and Buffer Improvement Standards.

1. Front Yard Setback and Setback Abutting a Street:

- a. Dimensions: The setback abutting a street shall be a minimum of 20 feet plus any Special Setback, *Section 3.103.05*.
- b. Off Street Parking, Maneuvering and Storage:
 - 1) Off street parking and storage shall be prohibited within a required setback or any yard abutting a street EXCEPT for parking and maneuvering within a driveway leading to a garage (or carport in the case of a manufactured home) or adjacent to a wall.
 - 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from the closest edge of a shared driveway and 20 feet from a street right of way line.
- c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, *Section 3.103.10*.
- d. Vehicular Access: Permitted in conformance with Woodburn Access Management Ordinance and *Section 3.104*.

2. Interior Side and Interior Rear Yard Setbacks

- a. Development in an RM zone, except for a single family dwelling and duplex dwelling, shall be subject to the setback and buffer requirements of *Table 2.1.7*.

TABLE 2.1.7 Interior Yard and Buffer Standards for RM Zones			
Abutting Property	Landscaping	Wall	Interior Setback
RS or R1S zone; or Existing single family or duplex dwelling	All interior yards shall be fully landscaped subject to <i>Section 3.106.</i>	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height.	24 ft. from any portion of primary building 16 ft. or less in height. 30 ft. from any portion of a primary building 16.1 ft. to 28 ft. in height. 36 ft. from any portion of a primary building 28.1 ft. to 35 ft. in height.
RM, P/SP or CO zone; or Existing medium density residential unit	All interior yards shall be fully landscaped subject to <i>Section 3.106.</i>	Wall requirements shall be determined in conjunction with the applicable Design Review process.	24 ft. from any portion of main building 16 ft. or less in height 30 ft. from any portion of a main building more than 16 ft. and less than 28 ft. in height 36 ft. from any portion of a main building more than 28 ft. and less than 35 ft. in height.
DDC, NNC or CG zone	All interior yards shall be fully landscaped subject to <i>Section 3.106.</i>	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height.	10 ft.
IP, SWIR or IL zone	All interior yards shall be fully landscaped subject to <i>Section 3.106.</i>	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height.	15 ft.

- b. A single family dwelling or duplex dwelling in the RM zone shall be subject to the setback and buffer improvement standards in *Section 2.102.06.C.*
- c. The building setback from a private access easement shall be a minimum of 5 feet.
- d. Off Street Parking, Maneuvering and Storage
 - 1) Off street parking and storage shall be prohibited within a required setback or any yard abutting a street EXCEPT for parking and maneuvering within a driveway leading to a garage (or carport in the case of a manufactured home) or adjacent to a wall.

- 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from the closest edge of a shared driveway and 20 feet from a street right of way line.
- e. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, **Section 3.103.10**.
- f. Vehicular Access: Permitted in conformance with **Section 3.104**.

2.104.07 Development Standards

All development in the RM zone shall comply with the applicable provisions of the **WDO**. The following standards specifically apply to uses in the RM zone. If the RM zone has a Nodal Overlay on the Comprehensive Plan Map the development standards of the RMN District, **Section 2.115**, shall apply.

A. Off Street Parking.

Off street parking shall be subject to the standards of **Section 2.104.06 and Section 3.105**.

B. Setbacks and Lots, Generally.

Setbacks and lots shall be subject to **Section 3.103**.

C. Architectural Design Guidelines and Open Space Standards.

1. Multiple density residential buildings shall be subject to the design standards or guidelines of **Section 3.107.05**.
2. Site-built single family and duplex dwellings and manufactured homes on lots, and all manufactured dwellings within a manufactured dwelling park (MDP), in the RM zone, EXCEPT those existing on the effective date of the **WDO** or those located in the NCOD, shall be subject to the architectural design standards of **Section 3.107.03**.
3. All single family and duplex dwellings on lots in an RM zone located within the Neighborhood Conservation Overlay District (NCOD) shall be subject to the architectural guidelines of **Section 3.107.04**.
4. All primary buildings and structures, other than those noted in **Sections 2.104.07.C.1., 2. and 3.** shall be subject to the architectural guidelines of **Section 3.107.06**

D. Signs.

Signs shall be subject to Section 3.110.

E. Accessory Uses and Structures.

By definition, prior to the construction or installation of an accessory structure, EXCEPT a fence or free-standing wall, an existing primary permitted use, building or structure shall be established on the same lot. Accessory uses and structures shall be subject to **Section 2.201** Accessory Uses and Structures.

F. Landscaping and Sidewalks.

1. The street frontage of a subject property shall be improved with either property line sidewalks and street trees or curb line sidewalks. The improvement shall be determined at the time of subdivision, PUD or design review as applicable. Sidewalks and trees shall be installed by the property owner to the standards of **Section 3.101 and 3.106**.
2. The subject property shall be landscaped to the standards of **Sections 3.106 and 3.107.03**.
3. Common refuse collection facilities shall be screened on all sides by an architectural block wall and solid gate, both with an anti-graffiti surface, a minimum of six feet and a maximum of seven feet in height.

G. Lot Coverage.

Lot coverage by the primary single family and duplex dwellings and associated accessory structures in a RM zone shall be a maximum of 40 percent for lots containing a primary building with a average height of 14 feet or less and a maximum of 35 percent for lots with a primary building with an average height of more than 14 feet.

H. Property Disposition.

All uses shall be established and conducted on lots of record, as defined by **Section 1.102** and developed to the public facility and access standards of **Sections 3.101, 3.102 and 3.104**.

1. New lots of record shall be subject to the following standards and procedures:
 - a. **Partitions, Section 3.108;**
 - b. **Subdivisions, Section 3.108; or**

- c. **Planned Unit Development *Section 3.109.***
- 2. Alteration of the property lines of existing lots of record shall be subject to the applicable following standards and procedures:
 - a. **Property Line Adjustment, *Section 5.101.07.***
 - b. **Replatting, *Section 3.108.***
 - c. **Vacation, applicable Oregon Revised Statutes.**

2.105 Commercial Office (CO)

(Changes are proposed only to Table 2.1.9)

TABLE 2.1.9 Interior Yard and Buffer Standards for Non-Residential Uses in CO Zones			
Abutting Property	Landscaping	Wall	Interior Setback
RS, R1S or RM, zone	All interior yards shall be fully landscaped subject to <i>Section 3.106</i> .	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height.	10 ft.
DDC, NNC, CG, IP, SWIR, or IL zone	All interior yards shall be fully landscaped subject to <i>Section 3.106</i> .	Wall requirements shall be determined in conjunction with the applicable Design Review process.	15 ft.
P/SP or CO zone	All interior yards shall be fully landscaped subject to <i>Section 3.106</i> .	No wall required.	10 ft.

2.106 Commercial General (CG)

(Changes are proposed only to Table 2.1.11)

TABLE 2.1.11 Interior Yard and Buffer Standards for CG Zones			
Abutting Property	Landscaping	Wall	Interior Setback
RS, RIS, or RM zone	There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall.	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height.	10 ft.
CO, CG, DDC, NNC, P/SP, IP, SWIR or IL zone	There is no buffer yard landscaping requirement for and interior yard abutting a buffer wall.	<p>Alternative A:</p> <p>Wall requirements shall be determined in conjunction with the applicable Design Review process.</p> <p>-----</p> <p>Alternative B:</p> <p>No wall required.</p>	<p>Alternative A:</p> <p>5 ft.</p> <p>-----</p> <p>Alternative B:</p> <p>Zero setback abutting a building wall.</p>

2.107 Downtown Development and Conservation (DDC)

(No changes are proposed to the DDC zone)

(The following Section 2.108 is a new proposed zoning district)

2.108 Nodal Neighborhood Commercial (NNC)

2.108.01 Purpose

The Nodal Neighborhood Commercial zone is intended to serve the routine daily needs of nearby residents and employees. This zone is intended to be accessible to pedestrians and bicyclists, as well as automobiles. It may be applied as a stand-alone neighborhood commercial zone, or as part of a master planned nodal development in accordance with *Section 2.115*.

2.108.02 Permitted Uses

The following uses, when developed under the applicable development standards of the *WDO*, are permitted in the NNC zone.

A. Residential

1. **One dwelling unit** in conjunction with a commercial use.

B. Retail Trade

1. **Bakeries.** (31181)
2. **Printing and related support activities** (323)
3. **Furniture and home furnishing stores** (442) INCLUDING:
 - a. Floor coverings and installation stores. (44221)
 - b. Window treatment and installation stores. (442291)
 - c. Used furniture stores. (45331)
4. **Electronics and appliance stores and repair** (44310) INCLUDING:
 - a. Camera shops. (44313)
 - b. Radio and TV stores. (443112)
 - c. Sewing machines stores. (443111)
5. **Building material and garden equipment dealers** (4441) LIMITED TO:
 - a. Paint, wallpaper, and interior decorating stores. (444120)
 - b. Hardware stores. (44413)
 - c. Light fixture stores. (444190)

6. **Garden supply store.** (44422)
7. **Food and beverage stores LIMITED TO:**
 - a. Delicatessen stores.
 - b. Meat markets. (44521)
 - c. Fish markets LIMITED TO sales only. (44522)
 - d. Grocery store, food market, food store. (44511)
8. **Other specialty stores (44529) LIMITED TO:**
 - a. Candy, nut, confectionery stores. (445292)
 - b. Dairy products stores LIMITED TO sales only. (44529)
9. **Health and personal care stores LIMITED TO:**
 - a. Drug stores. (44611)
 - b. Optical goods stores. (44613)
 - c. Health food stores. (446191)
 - d. Hearing aid stores. (446199)
10. **Clothing and clothing accessories (448) LIMITED TO:**
 - a. Clothing stores. (44810)
 - b. Dressmaker and tailor shops.
 - c. Furriers and fur shops. (44819)
 - d. Jewelry, watch, and clock stores. (44815 & 44831)
 - e. Shoe stores. (44823)
 - f. Luggage stores. (44832)
11. **Sporting goods stores (445111) INCLUDING:**
 - a. Bicycle shops. (445111)
 - b. Gunsmiths and repair. (45111)
12. **Hobby, toy, and game stores (45112) LIMITED TO:**
 - a. Hobby shops. (45112)
 - b. Toy stores. (45112)
13. **Sewing, needlework and piece goods stores.** (45113)
14. **Music, piano, and musical instrument stores.** (45114)

15. **Record and CD stores.** (45122)
16. **Book stores.** (4523)
17. **Department stores.** (45211)
18. **Other general merchandise stores** (4529) INCLUDING variety stores. (45299)
19. **Miscellaneous store retailers.** (453)
 - a. Antique shops.
 - b. Artists supply stores. (453998)
 - c. Business machines, typewriters and repair. (453210)
 - d. Florist shops. (45311)
 - e. Gift, novelty, souvenir shops. (45322)
 - f. Greeting card stores. (45322)
 - g. Mail order house. (45411)
 - h. Orthopedic and artificial limb stores.
 - i. Pet stores. (45391)
 - j. Stationery stores. (45321)
 - k. Used merchandise stores. (45331)

C. Transportation & Warehousing

1. Support Activities for Rail Transportation (488210)
2. Postal service. (491)

D. Information

1. **Newspaper, periodical, and book publishing.** (5111)
2. **Radio and TV studios and offices** (5131) EXCEPT antennae and towers.
3. **Cable networks.** (5132)
4. **Telecommunications** (5133) EXCEPT telecommunication facilities subject to *Section 2.204.03*.
5. **Information & data processing.** (514)

E. Finance and Insurance

1. **Finance and insurance** (52) EXCEPT check cashing, pay day loan and cash transfer establishments [other than banks] as a predominant, ancillary, or required supporting use.

F. Real Estate and Rental and Leasing

1. **Real estate.** (531)
2. **Rental & leasing**, without outdoor display or storage. (532)

G. Professional, Scientific & Technical Services

1. **Legal services.** (5411)
2. **Accounting.** (5412)
3. **Architects and engineers.** (5413)
4. **Specialized design services** (5414) INCLUDING interior design services.
5. **Computer system design.** (5415)
6. **Management consulting.** (5416)
7. **Advertising.** (5418)
8. **Other professional services** (5419), EXCEPT veterinary service (541940) not contained in a building.

H. Administrative & Support Services

1. **Administrative and facilities support services.** (5611 and 5612)
2. **Employment services.** (5613)
3. **Business support services** INCLUDING copy shops. (5614)
4. **Travel and tour agencies.** (5615)
5. **Investigation and security services.** (5616)
6. **Services to buildings and dwellings** (5617), offices only.
7. **Other support services.** (56199)

I. Educational Service

1. **Educational services** (611) both public and private, LIMITED TO:
 - a. Elementary and secondary schools. (6111)
 - b. Community college. (6112)
 - c. Business schools. (6114)
 - d. Technical and trade schools. (6115)

J. Health Care & Social Services

1. **Ambulatory health care** (621) EXCEPT Ambulance service. (62191)
2. **Social services** (624) INCLUDING child day care services.

K. Arts, Entertainment & Recreation

1. **Museums and historic sites** (712) EXCEPT zoos (712130).
2. **Fitness and recreational sports** (71391)
3. **Community center.**
4. **Taxidermists.** (71151)

L. Accommodation & Food Service

1. **Hotels** (EXCEPT casino hotels) and motels. (72111)
2. **Bed and breakfast inns.** (21191)
3. **Food service and drinking places** (722) EXCEPT food contractors (7231) and mobile food service.

M. Other Services

1. **Personal care services** (8121) INCLUDING:
 - a. Barber shops. (812111)
 - b. Beauty shops. (812112)
2. **Funeral home.** (812210)
3. **Laundry, self service.** (81231)
4. **Dry cleaning, self service.** (81231)
5. **Photo finishing.** (81292)
6. **Parking lots and garages** (81293) EXCEPT extended vehicle storage. (493190)
7. **All Other Personal Services** (81299) INCLUDING bail bonding and consumer buying services.
8. **Religious, civic, professional and similar organizations.** (813)

N. Public Administration

1. **Public administration** (92) INCLUDING government offices, courts, and police and fire stations.

O. Streets and Utilities

1. **Rights of way and easements and the improvements therein** for streets, water, sanitary sewer, gas, oil , electric and communication lines and for storm water facilities and for pump stations.

2.108.03 **Special Permitted Uses**

The following uses, when developed under the applicable development standards of the **WDO** including the special development standards of **Section 2.203**, are permitted in the NNC zone:

- A. **Complementary residential use** subject to **Section 2.203.06**.
- B. **Craft industries** subject to **Section 2.203.07**.
- C. **Delivery services** subject to **Section 2.203.08**.
- D. **Facilities during construction** subject to **Section 2.203.10**.
- E. **Temporary outdoor marketing and special events** subject to **Section 2.203.19**.

2.108.04 **Conditional Uses**

The following uses may be permitted subject to obtaining conditional use approval:

- A. **Government and public utility buildings and structures** EXCEPT uses permitted in **Section 2.107.01** and telecommunications facilities subject to **Section 2.204.03**.

2.108.05 **Accessory Uses**

The following uses are permitted as accessory uses subject to **Sections 2.202 and 2.203**.

- A. Fence or free standing wall.

2.108.06 **Dimensional Standards**

The following dimensional standards shall be the minimum requirements for all development in the NNC zone.

- A. Maximum Zone and Square Footage Requirement.
 - 1. The maximum size for an NNC zone shall be 12 acres.
 - 2. NNC zones shall be served by at least one collector or arterial street.
 - 3. The maximum floor area for any single business in the NNC zone shall not exceed 60,000 square feet.

B. Lot Standards.

Lots in a NNC zone shall comply with the applicable standards of *Table 2.1.13*.

TABLE 2.1.13 Lot Standards in a NNC Zone

In a NNC zone the lot area shall be adequate to contain all structures within the required setbacks. There shall be no minimum width or depth.
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C. Building Height.

The maximum building height shall be 45 feet in the NNC zone.

D. Setback and Buffer Standards.

Setback and buffers are subject to the NNC design guidelines of *Section 3.107.07*.

2.108.07 Development Standards

All development in the NNC zone shall comply with the applicable provisions of the *WDO*. If the NNC Zone is within a Nodal Overlay on the Comprehensive Plan Map the Nodal standards shall prevail. Otherwise, where the standards of the NNC zone and the *WDO* differ, the standards of the NNC shall prevail.

A. Off Street Parking.

All parking and access standards of *Sections 3.104 and 3.105* shall apply.

B. Design Guidelines and Standards.

1. Multiple density residential buildings shall be subject to the design standards or guidelines of *Section 3.107.05*
2. All development, EXCEPT that described in *Section 2.108.07.B.1*, shall be subject to the NNC zone architectural design guidelines and standards of *Section 3.107.07*.

C. Signs.

Signs shall be subject to *Section 3.110*.

D. Landscaping.

1. Landscaping is subject to the NNC zone architectural design guidelines and standards of **Section 3.107.07**.
2. At least one-half acre of common open area shall be improved for every five acres of commercial development. The design of the common open area shall be subject to **Section 5.103.02**.

E. Property Disposition.

All uses shall be established and conducted on lots of record, as defined by **Section 1.102** and developed to the public facility and access standards of **Sections 3.101, 3.102 and 3.104**. If an NNC site is within a designated Nodal Overlay on the Comprehensive Plan Map the master planning standards of **Section 2.115** shall be met prior to creation or alteration of any lot or parcel, and prior to approval of any street vacation.

1. New lots of record shall be subject to the following standards and procedures:
 - a. **Partitions, Section 3.108;**
 - b. **Subdivisions, Section 3.108; or**
 - c. **Planned Unit Development Section 3.109.**
2. Alteration of the property lines of existing lots of record shall be subject to the applicable following standards and procedures:
 - a. **Property Line Adjustment, Section 5.101.07.**
 - b. **Replatting, Section 3.108.**
 - c. **Vacation, applicable Oregon Revised Statutes.**

2.109 Industrial Park (IP)

(Changes are proposed only to Table 2.1.16)

TABLE 2.1.16 Interior Yard and Buffer Standards for IP Zones			
Abutting Property	Landscaping	Wall	Interior Setback
RS, R1S, RM, CO, P/SP zone; or Existing residential unit	There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall.	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 9 feet in height.	30 ft.
CG, DDC, NNC, IP, SWIR or IL zone	There is no buffer yard landscaping requirement for and interior yard abutting a buffer wall.	<p>Alternative A:</p> <p>Wall requirements shall be determined in conjunction with the applicable Design Review process.</p> <p>-----</p> <p>Alternative B:</p> <p>No wall required.</p>	<p>Alternative A:</p> <p>5 ft.</p> <p>-----</p> <p>Alternative B:</p> <p>Zero setback abutting a building wall.</p>

2.110 Light Industrial (IL)

(Changes are proposed only to Table 2.1.18)

TABLE 2.1.18 Interior Yard and Buffer Standards for IL Zones			
Abutting Property	Landscaping	Wall	Interior Setback
RS, R1S, RM, CO, P/SP zone; or Existing residential unit	There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall.	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 9 feet in height.	30 ft.
CG, DDC, NNC, IP, SWIR or IL zone	There is no buffer yard landscaping requirement for and interior yard abutting a buffer wall.	<p>Alternative A:</p> <p>Wall requirements shall be determined in conjunction with the applicable Design Review process.</p> <p>-----</p> <p>Alternative B:</p> <p>No wall required.</p>	<p>Alternative A:</p> <p>5 ft.</p> <p>-----</p> <p>Alternative B:</p> <p>Zero setback abutting a building wall.</p>

2.111 Public and Semi-Public (P/SP)

(Changes are proposed only to Table 2.1.20)

TABLE 2.1.20 Interior Yard and Buffer Standards for P/SP Zones			
Abutting Property	Landscaping	Wall	Interior Setback
<u>Permitted Use in a P/SP Zone Abutting:</u> RS, RIS, RM, CO, P/SP, DDC, NNC, CG, IP, SWIR or IL zone; or Existing residential unit.	All interior yards shall be fully landscaped subject to <i>Section 3.106</i> .	No wall required.	20 feet
<u>Conditional and/or Accessory Use in a P/SP Zone Abutting:</u> RS, RIS, RM, CO, P/SP zone; or Existing residential unit.	There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall.	Wall requirements shall be determined in conjunction with the applicable Design Review process.	24 ft. from any portion of main building 16 ft. or less in height 30 ft. from any portion of a main building more than 16 ft. and less than 28 ft. in height 36 ft. from any portion of a main building more than 28 ft. and less than 35 ft. in height.
<u>Conditional and/or Accessory Use in a P/SP Zone Abutting:</u> DDC, NNC, CG, IP, SWIR or IL zone.	There is no buffer yard landscaping requirement for and interior yard abutting a buffer wall.	Wall requirements shall be determined in conjunction with the applicable Design Review process.	20 ft.

2.112 Neighborhood Conservation Overlay District (NCOD)

(No changes are proposed to the NCOD District)

2.113 Riparian Corridor and Wetlands Overlay District (RCWOD)

2.113.01 Purpose

To conserve significant riparian corridors, undeveloped floodplains and locally significant wetlands in keeping with the requirements of State Planning Goal 5 (Natural Resources) and applicable state statutes and administrative rules, and the Woodburn Comprehensive Plan to protect and enhance water quality; prevent property damage during floods and storms; limit development activity in designated riparian corridors; protect native plant species; maintain and enhance fish and wildlife habitats; and conserve scenic and recreational values.

2.113.02 Boundaries of the RCWOD

The general location of the Riparian Corridor and Wetlands Overlay District (RCWOD) is shown on the Woodburn Comprehensive Plan Map and the Woodburn Zoning Map (for areas within the City Limits). Specifically, the RCWOD includes locally significant wetlands identified on the Woodburn Wetlands Inventory Map, a riparian corridor extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and their tributaries, and the 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable Lands Inventory. Where a significant wetland is located fully or partially within the riparian corridor, the riparian corridor shall extend 50 feet from the upland edge of the wetland.

2.113.03 Permitted Uses Within RCW Overlay District.

- A. Trails.
- B. Passive recreation uses and activities.
- C. Maintenance of existing structures, lawns and gardens.
- D. Normal maintenance and expansion of existing public facilities.
- E. Removal of invasive (non-native) plant species.

2.113.04 Development Regulations

- A. In addition to the requirements of the underlying zone, the following restrictions and exceptions shall apply within the RCWOD:
 - 1. Removal of native vegetation. The removal of vegetation from the RCWOD is prohibited EXCEPT for the following:

- a. Perimeter mowing of a wetland for fire protection purposes;
 - b. Removal of non-native vegetation and replacement with native plant species;
 - c. For the development of water-related or water-dependent uses, provided they are designed and constructed to minimize impact on the existing riparian vegetation;
 - d. Removal of emergent in-channel vegetation that has the potential to cause flooding;
 - e. Hazardous tree removal. Hazardous trees are those that pose an imminent health, safety, or welfare threat to persons or property.
2. Building, Paving, Grading, and Fill. Within the RCWOD, the placement of structures or impervious surfaces, including grading and the placement of fill is prohibited EXCEPT for the following:
- a. Replacement of existing structures with structures located on the original building footprint that do not disturb additional wetland or riparian corridor surface area;
 - b. Streets, roads and paths that are included in the Woodburn Transportation System Plan;
 - c. Water-related and water-dependent uses, including drainage facilities, water and sewer facilities, flood control projects, drainage pumps, public paths, access ways, trails, picnic areas or interpretive and educational displays and overlooks, including benches and outdoor furniture;
 - d. Routine maintenance or replacement of existing public facilities projects and public emergencies, including emergency repairs to public facilities;
 - e. In-channel erosion or flood control measures that have been approved by the Oregon Division of State Lands (DSL), the U.S. Army Corps of engineers or another state or federal regulatory agency, that utilize bio-engineering methods (rather than rip rap).
3. The following uses and activities are prohibited within the RCWOD:
- a. New residential, commercial, industrial, or public/semi-public construction;

- b. Expansion of existing buildings or structures;
 - c. Expansion of areas of pre-existing non-native ornamental landscaping such as lawn, gardens, etc.;
 - d. Dumping, piling, or disposal of refuse, yard debris, or other material.
- B. Site Maintenance. Any use, sign or structure, and the maintenance thereof, lawfully existing on the date of adoption of this ordinance, is permitted within the RCWOD. Such use, sign or structure may continue at a similar level and manner as existed on the date of the adoption of this ordinance. The maintenance and alteration of pre-existing ornamental landscaping is permitted within the RCWOD as long as no additional native vegetation is disturbed. Maintenance of lawns, planted vegetation and landscaping shall be kept to a minimum and not include the spraying of pesticides or herbicides. Vegetation shall be replanted with native species. Maintenance trimming of existing trees shall be kept at a minimum and under no circumstances can the trimming maintenance be so severe as to compromise the tree's health, longevity, and resource functions. Vegetation within utility easements shall be kept in a natural state and replanted when necessary with native plant species.
- C. When a use or activity that requires the issuance of a building permit or approval of a land use application is proposed on a parcel within, or partially within the RCWOD, the property owner shall submit the following for review by the Director:
 - 1. Site Map. A professional quality to-scale map showing the precise location of the top-of-bank, 100-year flood elevation, jurisdictional delineation of the wetland boundary, approved by the Oregon Division of State Lands (if applicable), riparian setback, existing vegetation, site improvements existing and proposed, topography, and other relevant features;
- D. Wetlands Notification to Oregon Division of State Lands. The Oregon Division of State Lands shall be notified in writing of all applications to the City of Woodburn for development activities, including applications for plan authorizations, development permits, or building permits, and of development proposals by the City of Woodburn, that may affect any wetlands, creeks or waterways identified in the Local Wetlands Inventory.

2.113.05 **Variances**

- A. Prohibited uses or activities may only be allowed within the RCWOD with the approval of a variance, pursuant to ***Section 5.103.11***.

(The following Section 2.114 is a new proposed zoning district)

2.114 Southwest Industrial Reserve (SWIR)

2.114.01 Purpose

To protect suitable industrial sites in Southwest Woodburn, near Interstate 5, for the exclusive use of targeted industries identified in the Woodburn Economic Opportunities Analysis (EOA). This broad objective is accomplished by master planning, retention of large industrial parcels, and restricting non-industrial land uses.

2.114.02 Application of the SWIR Zone

Land designated on the Comprehensive Plan Map as Southwest Industrial Reserve shall only be zoned SWIR.

2.114.03 Permitted Uses

- (A) Targeted industries and services identified in Table 2.1.21 are permitted uses in the SWIR zone, subject to compliance with applicable provisions of the WDO and this chapter.

(Table on next page.)

TABLE 2.1.21 Targeted Employers Listed By Standard Industrial Classification (SIC)

Targeted Employer	Description
Industry 27: Printing, Publishing, and Allied Industries	This industry includes establishments engaged in printing by one or more common processes, such as letterpress; lithography (including offset), gravure, or screen; and those establishments which perform services for the printing trade, such as bookbinding and platemaking. This industry also includes establishments engaged in publishing newspapers, books, and periodicals, regardless of whether or not they do their own printing. News syndicates are classified in Services, Industry 7383. Establishments primarily engaged in textile printing and finishing fabrics are classified in Industry 22, and those engaged in printing and stamping on fabric articles are classified in Industry 2396. Establishments manufacturing products that contain incidental printing, such as advertising or instructions, are classified according to the nature of the products for example, as cartons, bags, plastics film, or paper.
Industry 32: Stone, Clay, Glass, and Concrete Products	This industry includes establishments engaged in manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand. When separate reports are available for mines and quarries operated by manufacturing establishments classified in this industry, the mining and quarrying activities are classified in Division B, Mining. When separate reports are not available, the mining and quarrying activities, other than those of Industry 3295, are classified herein with the manufacturing operations. If separate reports are not available for crushing, grinding, and other preparation activities of Industry 3295, these establishments are classified in Division B, Mining.
Industry 34: Fabricated Metal Products, except Machinery and Transportation Equipment	This industry includes establishments engaged in fabricating ferrous and nonferrous metal products, such as metal cans, tinware, handtools, cutlery, general hardware, nonelectric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, ordnance (except vehicles and guided missiles), and a variety of metal and wire products, not elsewhere classified. Certain important segments of the metal fabricating industries are classified in other industries, such as machinery in Industries 35 and 36; transportation equipment, including tanks, in Industry 37; professional scientific and controlling instruments, watches, and clocks in Industry 38; and jewelry and silverware in Industry 39. Establishments primarily engaged in producing ferrous and nonferrous metals and their alloys are classified in Industry 33.
Industry 35: Industrial and Commercial Machinery and Computer Equipment	This industry includes establishments engaged in manufacturing industrial and commercial machinery and equipment and computers. Included are the manufacture of engines and turbines; farm and garden machinery; construction, mining, and oil field machinery; elevators and conveying equipment; hoists, cranes, monorails, and industrial trucks and tractors; metalworking machinery; special industry machinery; general industrial machinery; computer and peripheral equipment and office machinery; and refrigeration and service industry machinery. Machines powered by built-in or detachable motors ordinarily are included in this industry, with the exception of electrical household appliances. Power-driven handtools are included in this industry, whether electric or otherwise driven. Establishments primarily engaged in manufacturing electrical equipment are classified in Industry 36, and those manufacturing handtools, except powered, are classified in Industry 34.

Industry 36: Electronic and Other Electrical Equipment and Components, except Computer Equipment	This industry includes establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and wiring equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies. The manufacture of household appliances is included in this group, but industrial machinery and equipment powered by built-in or detachable electric motors is classified in Industry 35. Establishments primarily engaged in manufacturing instruments are classified in Industry 38.
Industry 37: Transportation Equipment	This industry includes establishments engaged in manufacturing equipment for transportation of passengers and cargo by land, air, and water. Important products produced by establishments classified in this industry include motor vehicles, aircraft, guided missiles and space vehicles, ships, boats, railroad equipment, and miscellaneous transportation equipment, such as motorcycles, bicycles, and snowmobiles. Establishments primarily engaged in manufacturing mobile homes are classified in Industry 2451. Establishments primarily engaged in manufacturing equipment used for moving materials on farms; in mines and on construction sites; in individual plants; in airports; or on other locations off the highway are classified in Industry 35.
Industry 42: Motor Freight Transportation and Warehousing	This industry includes establishments furnishing local or long-distance trucking or transfer services, or those engaged in the storage of farm products, furniture and other household goods, or commercial goods of any nature. The operation of terminal facilities for handling freight, with or without maintenance facilities, is also included. Establishments primarily engaged in the storage of natural gas are classified in Industry 4922. Field warehousing is classified in Services, Industry 7389. Establishments of the United States Postal Service are classified in Industry 43.
Industry 50: Wholesale Trade— Durable Goods	This industry includes establishments primarily engaged in the wholesale distribution of durable goods.
Industry 51: wholesale trade— non-durable goods	This industry includes establishments primarily engaged in the wholesale distribution of non-durable goods.
Industry 61: Non- Depository Credit Institutions	This industry includes establishments engaged in extending credit in the form of loans, but not engaged in deposit banking.
Industry 73: Business Services	This industry includes establishments primarily engaged in rendering services, not elsewhere classified, to business establishments on a contract or fee basis, such as advertising, credit reporting, collection of claims, mailing, reproduction, stenographic, news syndicates, computer programming, photocopying, duplicating, data processing, services to buildings, and help supply services. Establishments primarily engaged in providing engineering, accounting, research, management, and related services are classified in Industry 87. Establishments which provide specialized services closely allied to activities covered in other divisions are classified in such divisions.

Industry 80: Health Services	This industry includes establishments primarily engaged in furnishing medical, surgical, and other health services to persons. Establishments of associations or groups, such as Health Maintenance Organizations (HMOs), primarily engaged in providing medical or other health services to members are included, but those which limit their services to the provision of insurance against hospitalization or medical costs are classified in Insurance, Industry 63. Hospices are also included in this industry and are classified according to the primary service provided. Industry groups 801 through 804 includes individual practitioners, group clinics in which a group of practitioners is associated for the purpose of carrying on their profession, and clinics which provide the same services through practitioners that are employees.
Industry 87: Professional Services	This industry includes establishments primarily engaged in providing engineering, architectural, and surveying services; accounting, auditing, and bookkeeping services; research, development, and testing services; and management and public relations services.

(B) Other Services

1. **Dwelling** for caretaker or watchperson.

(C) Public Administration and Facilities

1. **Fire protection.** (922160)
2. **Government maintenance facilities and storage yards.**

(D) Streets & Utilities

1. **Rights of way and easements and the improvements therein** for streets, water, sanitary sewer, gas, oil, electric and communication lines and for storm water facilities and for pump stations.

2.114.04 Special Permitted Uses

The following uses, when developed under the applicable development standards of the **WDO** including the special development standards of **Section 2.203**, are permitted in the SWIR zone.

- A. **Agricultural practices** without livestock subject to **Section 2.203.02**.
- B. **Delivery services** subject to **Section 2.203.08**.
- C. **Facilities** during construction subject to **Section 2.203.10**.
- D. **Mobile food service** subject to **Section 2.203.17**.

2.114.05 Conditional Uses

- A. **Government and public utility buildings and structures EXCEPT uses permitted in Section 2.110.01** and telecommunications facilities subject to **Section 2.204.03**.

2.114.06 **Specific Conditional Uses**

The uses permitted by the following designation may be allowed in the SWIR zone subject to approval as a conditional use that conforms to the specific standards referenced below, the applicable provisions of the *WDO* and all other applicable conditions of approval.

- A. **Telecommunications Facilities** subject to *Section 2.204.03*.

2.114.07 **Accessory Uses**

The following uses are permitted as accessory uses subject to *Section 2.203*.

- A. **Fence or free standing wall.**

2.114.08 **Dimensional Standards**

The following dimensional standards shall be the minimum requirements for all development within the SWIR zone.

- A. Lot Standards

1. Land divisions may only be approved following approval of a master plan as required in *Section 2.114.10*.
2. Lots in a SWIR zone shall comply with the applicable standards of *Table 2.1.22*. For a land division, at least one lot shall be sized to meet each of the required lot size ranges listed in *Table 2.1.22* for each site, except smaller required lots may be combined to create larger required lots.

(Table on next page.)

Table 2.1.22 Lot Standards

Sites (by assessor tax lot number)	Buildable Acres	Required Lot Sizes (ranges shown in acres)	Conceptual Lot Sizes (in acres)	Special Standards
52W11 TL 300	88	25-50 10-25 10-25 5-10 5-10 2-5 2-5	35 15 15 8 8 4 3	Land division permitted with master plan approval
Subtotal:			88	
52W14 TL 200 52W14 TL 600	22	10-25 5-10	15 7	Land division not permitted
Subtotal:			22	
52W13 TL 1100 52W14 TL 1500 52W14 TL 1600	96	96	96	Land division not permitted Shall be developed with a use <u>with at least</u> 300 employees
52W14 TL 800 52W14 TL 900 52W14 TL 1000 52W14 TL 1100	106	50-100 25-50 2-5 2-5	65 33 4 4	Land division permitted with master plan approval 50-100 acre lot shall be developed with a use <u>with at least</u> 200 employees
Subtotal:			106	
52W14 TL 1200	4	2-5	4	Land division not permitted
52W23 TL 100	46	25-50 5-10 2-5	35 8 3	Land division permitted with master plan approval
Subtotal:			46	
Total SWIR	362		362	

B. Building Height.

The maximum height of buildings shall not exceed 45 feet, EXCEPT chimneys, spires, domes, flag poles and other features not used for human habitation (but EXCEPT telecommunication facilities), shall not exceed 70 feet.

C. Setback and Buffer Improvement Standards.

1. Front Yard Setback and Setback Abutting a Street:

a. Dimensions:

The minimum setback abutting a street shall be 10 feet plus any Special Setback, ***Section 3.103.05.***

b. Off street parking, Maneuvering and Storage:

1) Off street parking and storage shall be prohibited within a required setback EXCEPT for parking and storage adjacent to a wall.

2) The distance between the sidewalk on a public street and a loading dock shall be sized to preclude vehicles using the dock from projecting over the sidewalk.

c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, ***Section 3.103.10.***

d. Vehicular Access: Permitted in conformance ***Section 3.104.***

2. Interior Side and Rear Yard Setbacks.

a. Development in a SWIR zone shall be subject to the setback and buffer requirements of ***Table 2.1.23.***

(Table on next page.)

TABLE 2.1.23 Interior Yard and Buffer Standards for SWIR Zone			
Abutting Property	Landscaping	Wall	Interior Setback
RS, R1S, RM, CO, P/SP zone; or Existing residential unit	There is no buffer yard landscaping requirement for an interior yard abutting a buffer wall.	Solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 9 feet in height.	30 ft.
CG, DDC, NNC, IP, IL, or SWIR zone	There is no buffer yard landscaping requirement for and interior yard abutting a buffer wall.	<p>Alternative A:</p> <p>Wall requirements shall be determined in conjunction with the applicable Design Review process.</p> <p>-----</p> <p>Alternative B:</p> <p>No wall required.</p>	<p>Alternative A:</p> <p>5 ft.</p> <p>-----</p> <p>Alternative B:</p> <p>Zero setback abutting a building wall.</p>

- b. The building setback from a private access easement shall be a minimum of 5 feet.
- c. Off Street Parking, Maneuvering and Storage:

Off street parking and storage shall be prohibited within a required setback EXCEPT for parking and storage adjacent to a wall.
- d. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, **Section 3.103.10**.
- e. Vehicular Access: Permitted in conformance with Woodburn Access Management Ordinance and **Section 3.104**.

2.114.09 Development Standards

All development in the SWIR zone shall comply with the applicable provisions of the **WDO**. The following standards specifically apply to uses in the SWIR zone.

A. Off Street Parking.

Off street parking shall be subject to the standards of **Section 2.114.08 and Section 3.105**.

B. Setbacks and Lots, Generally.

Setbacks and lots shall be subject to ***Section 3.103***.

C. Architectural Design Guidelines.

All primary buildings and structures shall be subject to the architectural guidelines of ***Section 3.107.08***.

D. Signs.

Signs shall be subject to ***Section 3.110***.

E. Landscaping and Sidewalks.

1. The street frontage of a subject property shall be improved with either property line sidewalks and street trees or curb line sidewalks. The improvement shall be determined at the time of subdivision, PUD or design review as applicable. Sidewalks and trees shall be installed by the property owner to the standards of ***Section 3.101 and 3.106***.
2. The subject property shall be landscaped to the standards of ***Section 3.106***.
3. Common refuse collection facilities shall be screened on all sides by an architectural block wall and solid gate, both with an anti-graffiti surface, a minimum of six feet and a maximum of seven feet in height.

F. Property Disposition.

All uses shall be established and conducted on lots of record, as defined by ***Section 1.102*** and developed to the public facility and access standards of ***Sections 3.101, 3.102 and 3.104***.

1. New lots of record shall be subject to the following standards and procedures:
 - a. **Partitions, *Section 3.108***;
 - b. **Subdivisions, *Section 3.108***; or
 - c. **Planned Unit Development *Section 3.109***.
2. Alteration of the property lines of existing lots of record shall be subject to the applicable following standards and procedures:
 - a. **Property Line Adjustment, *Section 5.101.07***.
 - b. **Replatting, *Section 3.108***.
 - c. **Vacation, applicable Oregon Revised Statutes**.

2.114.10 **Master Planning Requirement**

- A. A master development plan shall be approved by the City Council for the entire area designated SWIR on the Comprehensive Plan Map, prior to annexation of any property within the SWIR Comprehensive Plan Map designation. The master plan shall be conceptual and non-binding in nature, but may be used as a general guide for development within the SWIR.

- B. The required master plan shall show:
 - 1. The location and rights-of-way for existing and planned arterial, collector and local access streets. These streets shall provide access to all existing and proposed parcels, consistent with the Woodburn Transportation System Plan.
 - 2. The location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed industrial development.
 - 3. The location and area of the RCW Overlay District as it affects existing and proposed industrial parcels. Planned streets and public facilities that cannot reasonably avoid the RCW Overlay District shall be indicated.
 - 4. Conceptual land divisions, consistent with the lot sizes indicated in ***Table 2.1.22***.
 - 5. Conceptual pedestrian and bicycle connections within the SWIR zone consistent with the TSP , and pedestrian and bicycle connections to the Nodal Overlay residential, commercial and park areas.

2.114.11 **Removal of the SWIR District**

- A. Removal of the SWIR District from any area or parcel shall require the following:
 - 1. A revised Economic Opportunities Analysis and Industrial Site Suitability Analysis, consistent with the Goal 9 Rule (OAR Chapter 660, Division 9).
 - 2. A new Statewide Planning Goal 2 Exception, that explains why other land within or adjacent to the UGB that does not require an exception cannot meet the purported need.
 - 3. A Comprehensive Plan Amendment, that demonstrates compliance with all applicable Statewide Planning Goals, applicable goals and policies of the Marion County Framework Plan, and applicable goals and policies of

the Woodburn Comprehensive Plan.

4. A zoning map amendment that demonstrates consistency with the Woodburn Comprehensive Plan.

(The following Section 2.115 is a new proposed zoning district)

2.115 Nodal Overlay Districts

2.115.01 Purpose

Nodal districts are shown on the Comprehensive Plan Map and encourage neighborhood-serving commercial developments surrounded by well-designed multi-family, attached single family (row houses) and small lot single family development, with active and accessible parks. The intent is to provide a community identity and services to higher density, nodal residential development within walking distance (generally one-half mile or less) of the center. Nodal development will be designed with a pedestrian focus, with interconnected streets and pedestrian walkways, alleys serving garages located at the rear of lots, and with limited parking. To ensure that land is efficiently used within the UGB, master plans shall be required for land within Nodal districts.

2.115.02 Nodal Single Family Residential (RSN) District

A. Allowed Uses.

The following uses are allowed in the RSN District, subject to the applicable provisions of **Section 2.102** and **Section 2.115**, and other applicable provisions of the WDO:

1. Permitted, special permitted, conditional, specific conditional and accessory uses allowed in the Single Family Residential (RS) zone, **Sections 2.102.01-05**, are allowed subject to the same use provisions of **Sections 2.102.01-05**.
2. Small lot single family detached dwellings are permitted.

B. Dimensional and Development Standards. The dimensional and development standards of **Sections 2.102.06-07** shall apply, EXCEPT where specifically superseded by the provisions of **Section 2.115**. In case of conflict, the standards of **Section 2.115** supersede the standards in **Section 2.102**.

C. Land Division and Density Standards

1. An application for a subdivision shall not be approved before approval of a master plan as required in **Section 2.115.04**.
2. A minimum density of 7.9 dwelling units per net buildable acre (after excluding public rights-of-way, public tracts, common open space, and

land protected by the RCW overlay district) shall be required for residential development through the subdivision or PUD process.

3. Standard single family residential lots in the RSN Overlay District shall comply with the standards of **Table 2.1.1** in the RS zone.
4. Non-residential lots shall comply with the standards of **Table 2.1.2** in the RS zone.
5. Small lot single family residential lots in an RSN Overlay District shall comply with the standards of **Table 2.1.24**. Flag lots are not permitted.

TABLE 2.1.24 Small Lot Residential Standards in RSN				
Use Type and Location	Minimum Lot Area	Minimum Lot Width	Average Lot Depth	Minimum Street Frontage
A. Small Lot Single Family Dwelling, Site Built; & Residential Sales Office <u>Interior Lot</u> 1. For an interior lot. <u>Corner Lot</u> 1. For a corner lot. 2. For a <u>cul de sac lot</u> .				
	4000 sq. ft.	45 ft.	80 ft.	40 ft.
	5000 sq. ft.	60 ft.	80 ft.	50 ft.
	4000 sq. ft.	45 ft.	80 ft.	30 ft.

- D. Development Standards for Small Lot Single Family Residential Developments. The following development standards shall apply only to small lot single family residential developments. Standards for other developments and uses shall comply with the *RS zone*.
1. Front Yard Setback and Setback Abutting a Street: The minimum setback abutting a street, or front property line for small lot single family dwellings shall be 10 feet plus any Special Setback, **Section 3.103.05**.
 - a. Off Street Parking, Maneuvering and Storage:
 - 1) Vehicular access directly to a public street is prohibited and alley access to garages facing the alley is required. Off street parking and storage shall be prohibited within a required front yard setback or any yard abutting a street.

- 2) Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards, ***Section 3.103.10***.
2. Interior Side Yard and Interior Rear Yard Setbacks.
 - a. Dimensions:
 - 1) Side Yard Setback. The minimum side yard setback shall be 5 feet.
 - 2) Rear Yard Setback. The average rear yard setback (as defined in ***Section 1.102***) shall be 20 feet.
 - b. Off Street Parking, Maneuvering and Storage:
 - 1) Off street parking, maneuvering and storage shall not be permitted in a side yard setback.
 - 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from an alley or rear property line.
 - c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards of ***Section 3.103.10***.
3. Alley requirement. Alleys shall be required for all small lot single family residential subdivisions. Alleys shall be dedicated and paved to a minimum width of 20 feet. No parking shall be allowed within an alley right-of-way.
4. Architectural Design Standards. In addition to meeting the architectural design standards of ***Section 3.107.03***, small lot single family dwellings shall meet the following design standards. In cases of conflict with other sections of the WDO, these standards prevail.
 - a. Two-car garages shall be required, facing directly on to an alley. Vehicular access to the garage from the street shall be prohibited.
 - b. At least 25% of the ground level façade facing the street shall be windows.
 - c. Covered front porches of at least 60 square feet shall be required with no dimension of less than 6 feet.

- d. The maximum permitted front porch setback shall be 15 feet.
 - e. Direct pedestrian access from the street to the front porch shall be provided.
5. A front yard landscaping and maintenance plan shall be required for all small lot single family subdivisions prior to preliminary plat approval.

2.115.03 Nodal Medium Density Residential (RMN) District

A. Allowed Uses.

The following uses are allowed in the RMN District, subject to the applicable provisions of ***Section 2.104*** and ***Section 2.115***, and other applicable provisions of the WDO:

- 1. Permitted, special permitted, conditional, specific conditional and accessory uses allowed in the Medium Density Residential (RM) zone, ***Sections 2.104.01-05***, are allowed subject to the same use provisions of ***Sections 2.104.01-05***.
- 2. Attached single family dwellings (row houses) are permitted.
- 3. Detached single family and manufactured dwellings on individual lots are permitted subject to the development standards for small lot single family dwellings in ***Section 2.115.02***.

B. Dimensional and Development Standards. The dimensional and development standards of ***Sections 2.104.06-07*** shall apply, EXCEPT where specifically superseded by the provisions of ***Section 2.115***. In case of conflict, the standards of ***Section 2.115*** supersede the standards in ***Section 2.104***.

C. Land Division and Density Standards

- 1. An application for a subdivision shall not be approved before approval of a master plan as required in ***Section 2.115.04***.
- 2. A minimum density of 19 multi-family, or 10 duplex or rowhouse dwelling units per net buildable acre (after excluding public rights-of-way, public tracts, common open space, and land protected by the RCW overlay district) shall be required for residential development through the subdivision or PUD process.
- 3. Single family and manufactured dwelling residential lots in the RMN District shall comply with the provisions for small lot single family

dwellings in **Section 2.115.02**.

4. Non-residential lots shall comply with the standards of **Table 2.1.6** in the RM zone.
5. Multi-family and attached single family (row houses) residential lots in an RMN District shall comply with the standards of **Table 2.1.25**. Flag lots are not permitted.

TABLE 2.1.25 Residential Lot Standards in RMN				
Use Type and Location	Minimum Lot Area / Maximum Density	Minimum Lot Width	Average Lot Depth	Minimum Street Frontage
A. Row Houses with Alley Access				
1. For an interior lot.	3,000 sq. ft.	28 ft.	80 ft.	28 ft.
2. For a corner lot or cul de sac lot.	3600 sq. ft.	40 ft.	80 ft.	40 ft.
B. Duplex dwellings on an individual lot	8,000 sq. ft.	80 ft.	90 ft.	80 ft.
C. Multifamily Dwellings		200 ft.	200 ft.	200 ft.
1. Minimum Development Area	2 Acres			
2. Maximum residential density	24 units /net acre			
D. Assisted living facility (62331) or nursing care facility (6231)				
1. Minimum Development Area	2 acres	200 ft.	200 ft.	200 ft.
2. Maximum residential density	32 units / net acre			

B. Building Height.

The maximum height of buildings and structures within the RMN District shall not exceed 45 feet, EXCEPT chimneys, spires, domes, flag poles and other features (EXCEPT telecommunication facilities subject to **Section 2.204.03**) not used for human habitation, which shall not exceed 70 feet.

C. Multi-Family and Duplex Residential Development Standards.

1. The setback abutting a street and the front yard setback for multi-family and duplex residential uses shall be a minimum of 10 feet and a maximum of 15 feet, EXCEPT where:
 - a. Abutting a commercial or industrial zone, or an arterial or collector

street, in which case the minimum street or front yard setback shall be 20 feet.

2. Rear and side yard setbacks shall be a minimum of 10 feet, EXCEPT where:
 - a. Abutting an RS or R1S zone , in which case, the minimum setback shall be 10 feet for the first floor, and 5 additional feet for each additional story.
3. EXCEPT for duplex lots, parking lots shall:
 - a. Be located behind or to the side of buildings.
 - b. Not occupy more than 50% of any street frontage.
 - c. Not be located within 20 feet of a public street or within 20 feet of an RS, R1S or RM zoned property, unless a minimum 6-foot high architectural wall is provided between the parking lot and the adjacent RS, R1S or RM zoned property, in which case, the parking lot shall not be located within 5 feet of the adjacent property.

D. Attached Single Family Dwelling (Row Houses) Development Standards.

1. Front Yard Setback and Setback Abutting a Street:

The minimum setback abutting a street, or front property line for attached single family development shall be 10 feet plus any Special Setback, **Section 3.103.05**, EXCEPT the minimum setback abutting an arterial street shall be 20 feet.

- a. Off Street Parking, Maneuvering and Storage:
 - 1) Vehicular access directly to a public street is prohibited and alley access to garages facing the alley is required. Off street parking and storage shall be prohibited within a required front yard setback or any yard abutting a street.
 - 2) Clear Vision Area: Buildings, fences, walls, landscaping and signs shall be subject to clear vision area standards, **Section 3.103.10**.

2. Interior Side Yard and Interior Rear Yard Setbacks.

- a. Dimensions:
 - 1) Side Yard Setback. The minimum side yard setback shall be 0 feet, EXCEPT for corner lots, in which case, the minimum street side yard setback shall be 15 feet.
 - 2) Rear Yard Setback. The average rear yard setback (as defined in **Section 1.102**) shall be 20 feet.
 - b. Off Street Parking, Maneuvering and Storage:
 - 1) Off street parking, maneuvering and storage shall not be permitted in a side yard setback.
 - 2) The entrance to a garage (or carport in the case of a manufactured home) shall be set back a minimum of 20 feet from an alley or rear property line.
 - c. Clear Vision Area: Fences, walls, landscaping and signs shall be subject to clear vision area standards of **Section 3.103.10**.
3. Alley requirement. Alleys shall be required for all attached single family dwelling developments. Alleys shall be dedicated and paved to a minimum width of 20 feet. No parking shall be allowed within an alley right-of-way.
4. Architectural Design Standards. In addition to meeting the architectural design standards of **Section 3.107.03**, attached single family dwellings shall meet the following design standards. In cases of conflict with other sections of the WDO, these standards prevail.
- a. Two-car garages shall be required, facing directly on to an alley. Vehicular access to the garage from the street shall be prohibited.
 - b. At least 25% of the ground level façade facing the street shall be windows.
 - c. Covered front porches of at least 60 square feet shall be required with no dimension of less than 6 feet.
 - d. The maximum permitted front porch setback shall be 15 feet.
 - d. Direct pedestrian access from the street to the front porch shall be provided.

5. A front yard landscaping and maintenance plan shall be required for all attached single-family subdivisions prior to preliminary plat approval.

2.115.04 **Master Planning Requirement**

- A. A master development plan shall be approved by the City Council for the entire area designated as Nodal Overlay on the Comprehensive Plan Map, prior to annexation of any property within the Nodal Overlay Comprehensive Plan Map designation. The master plan shall be conceptual and non-binding in nature, but may be used as a general guide for development within the Nodal Overlay Districts.

- B. The required master plan shall show:
 - 1. The location and rights-of-way for existing and planned arterial, collector and local access streets. These streets shall provide access to all existing and proposed parcels, consistent with the Woodburn Transportation System Plan.
 - 2. The location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed development.
 - 3. The location and area of the RCW Overlay District as it affects existing and proposed nodal development parcels. Planned streets and public facilities that cannot reasonably avoid the RCW Overlay District shall be indicated.
 - 4. A conceptual development plan for the Nodal Neighborhood Commercial center, neighboring multi-family areas, and potential parks, including planned pedestrian and bicycle connections within the Nodal Overlay District as shown on the TSP, and pedestrian and bicycle connections to Southwest Industrial Reserve areas.
 - 5. A conceptual plan for local streets and alleys, and lotting patterns, showing how small lot and attached single family development could occur consistent with applicable nodal design standards.

2.115.05 Removal of a Nodal Overlay District

- A. Removal of a Nodal Overlay District from any area or parcel shall require the following:
1. A revised transportation, housing and commercial land needs analysis, consistent with the Goal 9, 10 and 12 Rules (OAR Chapter 660, Divisions 8, 9 and 12).
 2. A Comprehensive Plan Amendment, that demonstrates compliance with all applicable Statewide Planning Goals, applicable goals and policies of the Marion County Framework Plan, and applicable goals and policies of the Woodburn Comprehensive Plan.
 3. A zoning map amendment that demonstrates consistency with the Woodburn Comprehensive Plan.

(The following Section 2.116 is a new proposed zoning district)

2.116 Interchange Management Area (IMA) Overlay District

2.116.01 Purpose

The purpose of this overlay district is to preserve the long-term capacity of Woodburn's I-5 Interchange with Highway 214, in coordination with the Oregon Department of Transportation (ODOT).

Preserving the capacity of this interchange is an essential element of the City's economic development strategy, because continued access to I-5 is necessary to attract and maintain basic employment within the Woodburn Urban Growth Boundary (UGB). **Section 2.116** complements the provisions of the Southwest Industrial Reserve (SWIR) District by ensuring that industrial land is retained for targeted basic employment called for in the Woodburn Economic Opportunities Analysis (EOA) and the Economic Development Strategy (EDS). **Section 2.116** also ensures that needed industrial, commercial and residential land within the IMA Overlay District is protected from commercial encroachment.

These goals are met by establishing trip generation budgets as called for in Transportation Policy H-7.1 of the Woodburn Comprehensive Plan. The parcel budgets are intended to be high enough to accommodate peak hour trips anticipated by the 2005 Woodburn Comprehensive Plan (WCP) and Transportation Systems Plan (TSP), but low enough to restrict unplanned vehicle trips that could adversely affect the interchange.

2.116.02 Boundary of the IMA Overlay District

The boundary of the IMA Overlay District is shown on the Woodburn Comprehensive Plan Map and Zoning Map.

2.116.03 Applicability

The provisions of **Section 2.116** shall apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers Trip Generation Manual) on parcels identified in **Table 2.116.1**. The provisions of **Section 2.116.07** shall apply to all properties within the boundary of the IMA.

2.116.04 Vehicle Trip Budgets

Section 2.116 establishes a total peak hour trip generation budget for planned employment (commercial and industrial) land uses within the Interchange Management Area – defined as the IMA Trip Budget, and a trip budget for each vacant commercial or industrial parcel – defined as the parcel budget.

A. The IMA District Trip Budget

The IMA Trip Budget for vacant commercial and industrial parcels identified in **Table 2.116.1** is 2,500 peak hour vehicle trips (An estimated 1,500 additional peak hour residential trips are planned within the IMA District). The IMA Trip Budget will be allocated to parcels identified in **Table 2.116.1** on a first developed – first served basis.

B. 2005 (Initial) Vehicle Trip Budget by Parcel

The parcel budget for each vacant commercial or industrial parcel within the IMA Overlay District is shown on **Table 2.116.1**. Parcel budgets are based on 11 peak hour trips per developed industrial acre, and 33 peak hour trips per developed commercial acre.

1. The parcel budget for each parcel will be reduced in proportion to actual peak hour vehicle trips generated by new development on any portion of the parcel.
2. The City *may* allow development that exceeds the parcel budget for any parcel in accordance with **Section 2.116.08.B**.

(Table on next page.)

Table 2.116.1. Vehicle Trip Budget by Parcel (Parcel Budget)

Assessor Map and Tax Lot Number	Applicable Comprehensive Plan Designation	Vacant Buildable Acres	Maximum Peak Hour Vehicle Trips
052W11 00300	SWIR	88	968
052W13 01100 052W14 01500 052W14 01600	SWIR	96	1056
052W14 00200 052W14 00600	SWIR	22	242
052W14 00800 052W14 00900 052W14 01000 052W14 01100	SWIR	109	1199
052W14 01200	SWIR	4	44
052W23 00100	SWIR	46	506
052W12AC 04301	Commercial	2	66
052W12C 00604	Commercial	1	33
052W12C 00605	Commercial	3	99
052W12C 02100	Commercial	7	231
052W12C 02200	Commercial	6	198
052W12C 02300	Commercial	7	231
052W12C 02400	Commercial	2	66
052W13 01600	Commercial	5	165
052W14 02000	Commercial	8	264
052W14 02100	Commercial	5	165
052W14 02300	Commercial	6	198
052W13BD 00900 (westerly portion) 052W13BD 01500 052W13BD 01600 052W13BD 01700 052W13BD 01800	Nodal Commercial	9	297

2.116.05 **Administration**

Section 2.116 delineates responsibilities of the City and ODOT to monitor and evaluate vehicle trip generation impacts on the I-5 interchange from development approved under this section.

A. Traffic Impact Analysis (TIA)

A TIA is required for all land use applications subject to the provisions of **Section 2.116**. The standards for preparing a TIA are found in Exhibit Q, Transportation Impact Analysis Requirements. The TIA must meet City and ODOT administrative rule (OAR Chapter 734, Division 51) requirements and shall include an evaluation and recommendation of feasible transportation demand management (TDM) measures that will minimize peak hour vehicle trips generated by the proposed development.

B. ODOT Coordination

For a land use application subject to the provisions of **Section 2.116**:

1. The City shall not deem the land use application complete unless it includes a TIA prepared in accordance with Exhibit Q, TIA Requirements.
2. The City shall provide written notification to ODOT when the application is deemed complete. This notice shall include an invitation to ODOT to participate in the City's facilities review meeting.
3. ODOT shall have at least 20 days to provide written comments to the City, measured from the date the completion notice was mailed. If ODOT does not provide written comments during this 20-day period, the City's decision may be issued without consideration of ODOT comments.

C. City Monitoring Responsibilities

The details of City and ODOT monitoring and coordination responsibilities are found in the Woodburn – ODOT Intergovernmental Agreement (IGA).

1. The City shall be responsible for maintaining a current ledger documenting the cumulative peak hour trip generation impact from development approved under **Section 2.116**, compared with the IMA Trip Budget.
2. The City may adjust the ledger based on actual development and employment data, subject to review and concurrence by ODOT.

3. The City will provide written notification to ODOT when land use applications approved under **Section 2.116**, combined with approved building permits, result in traffic generation estimates that exceed 33% and 67% of the IMA Trip Budget.

D. Vesting and Expiration of Vehicle Trip Allocations

This section recognizes that vehicle trip allocations may become scarce towards the end of the planning period, as the I-5 Interchange nears capacity. The following rules apply to allocations of vehicle trips against the IMA Trip Budget:

1. Vehicle trip allocations are vested at the time of design review approval.
2. Vehicle trips shall not be allocated based solely on approval of a comprehensive plan amendment or zone change, unless consolidated with a subdivision or design review application.
3. Vesting of vehicle trip allocations shall expire at the same time as the development decision expires, in accordance with **Section 4.102.03-04**.

2.116.06 **Allowed Uses**

- A. Uses allowed in the underlying zoning district are allowed subject to other applicable provisions of the WDO and **Section 2.116**.

2.116.07 **Comprehensive Plan and Zoning Map Amendments**

Section 2.116.07 applies to all Comprehensive Plan Map amendments within the IMA Overlay District. This section does not apply to Zoning Map amendments that result in conformance with the applicable Comprehensive Plan Map designation, such as Zoning Map amendments that occur when land is annexed to the City.

- A. Transportation Planning Rule Requirements.

Applications for Comprehensive Plan Map amendments, and for Zoning Map amendments shall determine whether the proposed change will significantly affect a collector or arterial transportation facility, and must meet the requirements of Oregon Administrative Rule (OAR) 660-012-0060 and WDO **Section 5.104.02-04**.

- B. Limitations on Comprehensive Plan Amendments.

To ensure that the remaining capacity of the I-5 Interchange is reserved for targeted employment opportunities identified in Chapter 4 of the Economic Opportunities Analysis (EOA) and needed housing, this section imposes the

following prohibitions on Comprehensive Plan Map amendments within the IMA Overlay District:

1. Comprehensive Plan Map amendments that will increase the net Commercial land area within the IMA Overlay District shall be prohibited.
2. Comprehensive Plan Map amendments that allow land uses that will generate traffic in excess of the IMA Trip Budget shall be prohibited.

2.116.08 Interchange Capacity Preservation Standards

Land use applications subject to the provisions of **Section 2.116** shall comply with the following:

- A. Cumulative Impact Standard. Peak hour vehicle trips generated by the proposed development shall not, in combination with other approved developments subject to **Section 2.116**, exceed the IMA Trip Budget of 2,500.
- B. Parcel-Specific Impact Standard. Peak hour vehicle trips generated by the proposed development shall not exceed the maximum peak hour vehicle trips specified in **Table 2.116.1** for the subject parcel, EXCEPT:
 1. Development of uses listed in **Table 2.1.21 (Section 2.114.03, SWIR Zone Permitted Uses)** *may* be allowed to exceed the maximum, *if* the development will contribute substantially to the economic objectives found in Chapter 2 of the Woodburn Economic Development Strategy (EDS).
 2. Residential development on a parcel zoned Commercial shall be allowed to exceed the maximum.
- C. Transportation demand management (TDM) measures shall be required to minimize peak hour vehicle trips and shall be subject to annual review by the City.

2.202 Accessory Uses and Structures: Non-Residential Zones and Uses

2.202.01 Applicability

The following standards are applicable to structures accessory to non-residential uses in the CO, DDC, NNC, CG, IP, IL, SWIR and P/SP zones.

2.202.02 Structures EXCLUDING Fences and Freestanding Walls

A. Location and Height in All Yards.

The setback and maximum height for an accessory structure, except for fences and freestanding walls, shall be the same as for a primary use.

B. Lot Coverage.

Accessory structures shall be included with the primary structures in computing lot coverage.

2.202.03 Fences and Freestanding Walls

A. Safety Review Prior to Fence Installation.

Plans for installation of all fences and freestanding walls shall be reviewed as a ***Type I*** application prior to installation to assure compliance with safety standards of the state building code and the ***WDO***.

B. Location and Height in Yards Adjacent to a Street.

1. The location and height shall comply with the clear vision area standards, ***Section 3.103.10***.
2. The location and height shall not exceed a height of 42 inches above the curb elevation, when located on the front lot line abutting the street. For streets without curbs the maximum height shall be measured relative to the elevation of the center line of the improved street.
3. The location and height shall not exceed a height of 48 inches above the curb elevation, when located on the side lot line abutting the street. For streets without curbs the maximum height shall be measured relative to the elevation of the center line of the improved street.

4. The height relative to the ground elevation under the fence, may increase one foot in height for each 6 feet of setback from the lot line, not to exceed a maximum height of seven feet.

C. Height in Yards Not Adjacent to a Street.

The maximum height in yards not adjacent to a street shall be seven feet.

D. Construction Materials Prohibited.

Fences and freestanding walls constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, barbed or razor wire, spikes and broken glass, shall be prohibited, EXCEPT that in an industrial zone fences and freestanding walls may incorporate barbed wire provided the wire is located at least 150 feet from a public street.

3.101 Street Standards

(Changes are proposed only to Sections 3.101.02.G and 3.101.03)

3.101.02 General Provisions

G. Block Standards.

Block length shall not be less than 200 feet and not more than 600 feet, EXCEPT where the dimensions and alignment of existing blocks and streets adjacent to or in the vicinity of a proposed subdivision, or consideration of access management policies on arterials warrant other dimensions. The maximum block length shall not exceed 1200 feet.

3.101.03 Right of Way and Improvement Standards

A. The street right of way and improvement cross-sectional standards required for development are depicted in Figure 7-2 and Table 7-1 of the Woodburn Transportation System Plan. These standards are based on the functional classification of each street as shown in Figure 7-1 of the Woodburn Transportation System Plan. The street right-of-way and improvement standards minimize the amount of pavement and right-of-way required for each street classification consistent with the operational needs of each facility, including requirements for pedestrians, bicycles, and public facilities.

B. The following additional standards for Local Residential Streets:

1. Local Residential Street with Parking One Side:

- a. Required common, onsite parking over and above the parking requirements under other provisions of the **WDO**: One (1) space per dwelling unit, located no further than 250 feet from the subject lot.

2. Local Residential without Parking:

- a. Required common, onsite parking over and above the parking requirements under other provisions of the **WDO**: Two (2) spaces per dwelling unit lot, located no further than 250 feet from the subject lot.

3.103 Setback, Open Space and Lot Standards, Generally

(Changes are proposed only to Section 3.103.05)

3.103.05 Special Street Setbacks

A. Purpose.

The special setbacks in this **Section** are based upon the functional classification of streets and roads described in the Woodburn Transportation System Plan (WTSP). The purpose of these special setbacks is to provide for adequate air movement, solar access, visibility, aesthetics and compliance with the development standards of the **WDO** when a major street is improved.

B. Setback Requirements.

Required setbacks adjacent to a street shall be in addition to the special setbacks required in this Section. The special setback distances shall be measured at right angles to the center line of the original street right of way.

C. Special Provisions.

Buildings, structures and paved surfaces shall not be located within the special setbacks EXCEPT as specifically provided for in the **WDO**. Any portion of a building or structure lawfully established within a special street setback prior to date of **WDO** shall be considered a nonconforming structure.

D. Special Setback Standards.

Special setback standards by street classification are established in **Table 3.1.1**. The special setback standards shall be applied to streets within the City of Woodburn as functionally classified in the Woodburn Transportation System Plan.

TABLE 3.1.1 Special Setback Standards by Street Classification	
WTSP Functional Classification	Special Setback from Center Line
Major Arterial	50 feet
Minor Arterial	37 feet
Service Collector	36 feet
Access Street/Commercial Street	33 feet

3.105 Off Street Parking and Loading

(Changes are proposed only to Section 3.105.02.H)

H. On-site Vehicle Parking and Loading Area Improvement Requirements.

1. Surfacing. All vehicle parking and loading areas shall be paved with asphalt, concrete or other hard surfacing approved by the Public Works Director.
2. Drainage. All vehicle parking and loading areas shall be graded and provide storm drainage facilities approved by the Public Works Director.
3. Bumper Guards and Wheel Barriers. All vehicle parking spaces, EXCEPT those for single family and duplex dwellings, shall be constructed with bumper guards or wheel barriers that prevent vehicles from damaging structures or projecting over walkways, access ways or abutting property or rights of way.
4. Size of Vehicular Parking Spaces and Maneuvering Areas within Off Street Parking Areas.
 - a. Off street vehicle parking spaces and maneuvering areas, EXCEPT those for single family and duplex dwellings and those for disabled persons, within off street parking areas shall be designed in compliance with **Table 3.1.4**. Three or more off street parking spaces provided subject to **Table 3.1.4** shall be designed so that no backing or maneuvering within a public street right of way is required.
 - b. Off street parking for single family and duplex dwellings shall be governed by **Section 3.104.05.B.2 and C.2 and Table 3.1.2.1**.
 - c. Off street parking for disabled persons shall be designed to the standards of the state Building Code and applicable federal standards.
5. Directional Marking. EXCEPT for vehicle parking areas for single family and duplex dwellings, off street parking and maneuvering areas shall have directional markings and signs to control vehicle movement.
6. Space Marking. EXCEPT for vehicle parking areas for single family and duplex dwellings, off street parking spaces shall be delineated by double

parallel lines on each side of a space. The total width of the lines shall delineate a separation of 2 feet.

7. Access. Access to vehicle parking areas shall be in compliance with the standards of ***Section 3.104***.
8. Outdoor Lighting. EXCEPT for vehicle parking areas for single family and duplex dwellings, all outdoor lighting shall be designed so as not to shine or reflect into any adjacent residentially zoned or used property, and shall not cast a glare onto moving vehicles on any public street.
9. Landscaping. EXCEPT for vehicle parking spaces for single family and duplex dwellings, all parking areas shall be landscaped to the standards of ***Section 3.106***.
10. On-site Bicycle Parking Requirements. All uses required to provide 10 or more off street parking spaces and residential structures with four or more units shall provide a bicycle rack within 50 feet of the main entrance. The number of required rack spaces shall be one plus one per ten vehicle parking spaces, with a maximum of 20 rack spaces.

3.106 Landscaping Standards

(Changes are proposed only to Sections 3.106.03 and 3.106.04)

3.106.03 Landscaping Standards

A. Streetscape.

1. Street Trees. Within the public street right of way abutting a development, or within an alley right of way in the DDC zone, street trees shall be planted to City standards prior to final occupancy.
 - a. Acceptable Types of Trees. See **Section 6.103** for a description of acceptable and unacceptable trees for this purpose, classified by size and species.
 - b. Tree Density. Trees shall be planted at the following intervals within the right of way, subject to Clear Vision Area standards, **Section 3.103.10 and Section 6.103**:
 - 1) Four (4) small trees per 100 feet of street frontage;
 - 2) Three (3) medium trees per 100 feet of street frontage; or
 - 3) Two (2) large trees per 100 feet of street frontage.
2. Front Yard and Yard Abutting a Street.
 - a. Landscaping Density for non-residential uses in the RS and R1S zone and all uses in the RM, P/SP, IL, IP, and SWIR zones. All front yards and yards abutting a street shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.
 - b. Landscaping Design and Density in CO and CG zones.
 - 1) All yards abutting a street, including off street parking and circulation areas shall be landscaped at a density of one (1) plant unit (PU) per 20 sq. ft.
 - 2) All parking areas abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials; berms; freestanding, architectural walls with an anti-graffiti finish, depressed grade for the parking area. All screening shall comply with the clear

vision standards, ***Section 3.103.10***.

B. Buffer Yards.

All buffer yards shall be landscaped at the rate of one (1) plant unit (PU) per 20 sq. ft. EXCEPT for interior buffer yards abutting a wall which are paved and which may be used for parking or site access and vehicular circulation.

C. Off Street Parking Areas.

1. All unpaved land within off street parking areas, and within 20 feet of the paved edge of off street parking and/or circulation improvements, shall be landscaped in the following proportions:
 - a. RM, CO and CG zones: Landscaped area(s) equivalent to 20% of the paved surface area for off street parking and circulation.
 - b. IP, IL, and SWIR zones: Landscaped area(s) equivalent to 10% of the paved surface area for off street parking and circulation.
2. The density of landscaping required in and adjacent to off street parking and circulation facilities, EXCLUDING required trees, shall be one (1) plant unit per 20 square feet.
3. Trees, ***Section 6.103***, shall be planted within and abutting off street parking facilities in a pattern that is in proportion to the distribution of the parking spaces, at the following densities:
 - a. 1 small tree per 5 parking spaces;
 - b. 1 medium tree per 10 parking spaces; or
 - c. 1 large tree per 14 parking spaces.
4. Multi-Purpose Landscaping. Trees and other required landscaping located on private property within a required setback abutting a street or an interior lot line that is within 20 feet of the paved surface of off street parking and circulation facilities, may also be counted in calculating required landscaping for off street parking and circulation areas.

D. Common Areas.

All common areas, EXCEPT those approved as natural common areas in a PUD, shall be landscaped with at least three (3) plant units per 50 square feet.

E. Yards.

The entire yard area of a property, EXCLUDING areas subject to more intensive landscaping requirements and all yards of residential uses in a RS or R1S zone, shall be landscaped to a standard of at least one (1) plant unit (PU) per 50 square feet prior to final occupancy.

3.106.04 Conservation of Significant Trees

A. Applicability.

The provisions of this **Section** apply to the removal of any significant tree and the replacement requirements for significant tree removal. A “significant tree” is any existing, healthy tree 24 inches or more in diameter, measured 12 inches above ground level.

B. Limitations on Tree Removal.

A City tree removal permit shall be required to remove any tree, subject to the following EXCEPTIONS:

1. Three or fewer significant trees may be removed from a lot zoned RS, R1S or P/SP that is less than 0.5 acres in area within any calendar year without a permit;
2. One significant tree may be removed from a lot:
 - a. Zoned RS, R1S or P/SP which is greater the 0.5 acres; or
 - b. Zoned other than RS, R1S or P/SPwithin any calendar year without a permit.
3. A diseased or dangerous tree may be removed without a permit in an emergency.

C. Tree Replacement Requirement.

The issuance of a significant tree removal permit requires the property owner to replace each tree removed with two new trees on the same property. Each new tree shall be at least 2 inches in caliper. A tree required by the development standards of the underlying zone, **Section 3.1.**, or as a condition of permit approval shall qualify as a replacement tree.

3.107 Architectural Design Guidelines and Standards

(Changes are proposed only to Sections 3.107.07 and 3.107.08)

3.107.07 Design Guidelines and Standards for the DDC and NNC Zones

A. Applicability and Procedure.

The following guidelines and standards shall be applicable to the Downtown Development and Conservation (DDC) and Nodal Neighborhood Commercial (NNC) zones. The Woodburn Downtown Association (WDA) shall be notified as an interested party in conjunction with design review within the DDC zone.

B. Design Guidelines for New Development.

1. Site Design Guidelines. All new development *should* comply with the following site design guidelines.
 - a. Building placement. Buildings *should* occupy a minimum of 50 percent of all street frontages along public streets. Buildings should be located at public street intersections.
 - b. Building setback. The minimum setback from a public street right of way may be 0 feet, the maximum building setback *should* be 10 feet.
 - c. Front setback and setback abutting a street design. Landscaping, an arcade, or a hard-surfaced expansion of the pedestrian path *should* be provided between a structure and a public street.
 - 1) Setbacks abutting a street *should* be 5 feet in depth or equal to the building setback, whichever is greater. The setback *should* be landscaped at a planting density of five (5) planting units per 20 square feet to the street tree standards of *Table 3.1.5*.
 - 2) Setbacks abutting and alleyway *should* be landscaped to the street tree standards of *Section 3.106.03.A.1*.
 - 3) Hard-surfaced areas *should* be constructed with scored concrete or modular paving material. Benches and other street furnishings *shall* be encouraged.

- d. Walkway connection to building entrances. A walkway connection ***should*** connect a building entrance and a public street. This walkway ***should*** be at least six (6) feet wide and be paved with scored concrete or modular paving materials. Building entrances at corners near a public street intersection ***shall*** be encouraged.
 - e. Parking location and landscape design. Parking for buildings or phases adjacent to public street rights of way ***should*** be located to the side or rear of newly constructed buildings. When located abutting a street, off street parking ***should*** be limited to 50 percent of the street frontage. Setbacks abutting a street ***should*** be 5 feet in depth or equal to the building setback, whichever is greater. The setback ***should*** be landscaped at a planting density of five (5) planting units per 20 square feet to the street tree standards of ***Section 3.106.03.A.1***.
 - f. Interior side and rear yards setbacks ***should*** be landscaped to the street tree standards of ***Section 3.106.03.A.1.b***.
 - g. Any open area not used for building space ***should*** be landscaped in compliance with ***WDO*** standards and guidelines.
2. New Building Architectural Design Guidelines and Standards.
- a. Applicability.
 - 1) All non-residential buildings shall comply with the following design guidelines (read as “***should***”).
 - 2) At the time of application, the applicant shall choose whether the review of new residential buildings shall be conducted as a Type I review following the procedures of ***Section 5.101.01*** or as a Type II or III review following the procedures of ***Section 5.102.02*** or ***5.103.02***, depending on floor area.
 - a) For a Type I review, the criteria of ***Section 3.107.04.B*** shall be read as “***shall***” and shall be applied as standards.
 - b) For a Type II or III review, the criteria ***Section 3.107.04.B*** shall be read as “***should***” and shall be applied as guidelines.

b. Architectural Design Guidelines and Standards.

- 1) Ground floor window. All street-facing building elevations that are set back 10 feet or less from a public street **should** include a minimum of 50 percent of the ground floor wall area with windows, display areas or doorway openings. The ground floor wall area **shall** be measured from three feet above grade to nine feet above grade the entire width of the street-facing elevation. The ground floor window requirement **should** be met within the ground floor wall area and for glass doorway openings to the ground level. Up to 50 percent of the required ground floor window area on a particular street-facing building elevation **may** be met on an adjoining building elevation when the adjoining elevation is also street-facing and setback 10 feet or less.
- 2) Building facades. No building facade **should/shall** extend for more than 300 feet without a pedestrian connection between or through the building. Facades that face a public street **should/shall** extend no more than 50 feet without providing at least one of the following features:
 - a) A variation in building material;
 - b) A building off-set of at least 1 foot;
 - c) A wall area that is entirely separated from other wall areas by a projection, such as an arcade; or
 - d) By other design features that reflect the building's structural system.
- 3) Weather protection. Weather protection for pedestrians, such as awnings, canopies and arcades. **should/shall** be provided at building entrances. Weather protection **shall** be encouraged along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or access way. Awnings and canopies **should/shall not** be back lit.

- 4) Building materials. Corrugated metal, plywood, sheet press board or vinyl siding **should/shall not** be used as exterior finish material. Plain concrete block and plain concrete **should/shall not** be used as exterior finish material EXCEPT as a foundation material where the foundation material **should/shall not** be revealed for more than 2 feet.
- 5) Roofs and roof lines. EXCEPT in the case of a building entrance feature, roofs **should/shall** be designed as an extension of the primary materials used for the building and should respect the building's structural system and architectural style. False fronts and false roofs **should/shall not** be used.
- 6) Roof-mounted equipment. All roof-mounted equipment **should /shall** be screened from view from adjacent public streets. Satellite dishes and other communication equipment **should/shall** be set back or positioned on a roof so that exposure from adjacent public streets is minimized. Solar heating panels **shall/shall** be exempt from this guideline.

C. Architectural Design Guidelines For the Exterior Alteration of Existing Buildings

1. General Scope. An application for exterior alteration of an existing building should be approved if the change or the treatment proposed is determined to be harmonious and compatible with the appearance and character of the building and should not be approved if found to be detrimental to or otherwise adversely affecting the architectural significance, integrity, historic appearance, or historic value of the building.
2. Design Guidelines. The following guidelines shall apply to the exterior alterations to existing buildings:
 - a. Retention of original construction. So far as possible, all original exterior materials and details **should** be preserved or reproduced to match the original.
 - b. Height. Additional stories **may** be added to buildings provided that:
 - 1) The added height complies with requirements of the state

Building Code; and

- 2) The added height does not alter the traditional scale and proportions of the building style; and
 - 3) The added height is visually compatible with adjacent buildings.
- c. Bulk. Horizontal additions **may** be added to buildings provided that:
- 1) The building of the addition does not exceed that which was traditional for the building style; and
 - 2) The addition maintains the traditional scale and proportion of the building; and
 - 3) The addition is visually compatible with adjacent buildings.
- d. Visual Integrity of Structure. The lines of columns, piers, spandrels, and other primary structural elements **should** be maintained so far as practicable.
- e. Scale and Proportion. The scale and proportion of altered or added building elements, the relationship of voids to solid (windows to wall) **should** be visually compatible with the traditional architectural character of the building.
- f. Material, Color and Texture. The materials, colors and textures used in the alteration or addition **should** be fully compatible with the traditional architectural character of the historic building. In general colors **should** be emphasized as follows: darker colors for window sashes; medium for building; and lightest for window trim and detailing.
- g. Lighting and Other Appurtenances. Exterior lighting and other appurtenances, such as walls, fences, awnings, and landscaping **should** be visually compatible with the traditional architectural character of the building.

3.107.08 **Design Guidelines for IP, IL and SWIR Zones**

A. Applicability.

The following design guidelines shall apply to all structures and buildings in the IP, IL and SWIR zones.

B. Design Guidelines.

1. Loading.

- a. Loading facilities ***should*** be located at the rear or side of structures to reduce their unsightly appearance.
- b. Loading facilities located on the front or side of a structure, the visual impact from the abutting street ***should*** be mitigated by:
 - 1) Offsetting the location of the driveway entrance and the loading dock; and
 - 2) Screening the loading area with a sight obscuring fence, wall or hedge.
 - 3) Loading areas should be located on the site so that backing onto or off the street frontage is not required.

2. Outdoor Storage. Outdoor storage, when permitted, ***should*** be screened from the view of abutting streets by a solid brick or architectural block wall not less than 6, nor more than 9 feet in height.

3. Outdoor Lighting. All outdoor lighting ***should*** be designed so as not to shine or reflect into any adjacent residentially zoned or used property, and shall not cast a glare onto moving vehicles on any public street.

4. Energy Efficiency. Building and location, orientation, and design ***should*** encourage energy conservation and solar access.

5. Building Bulk and Scale. Long blank walls abutting streets ***should*** be avoided. The visual impact of building and scale ***should be***

reduced by:

- a. Articulating building facades;
 - b. Landscaping the area abutting building walls, including plant materials that provide vertical accents;
 - c. Tying entrances to the structure to the overall mass and composition of the building;
 - d. Minimizing the use of smooth concrete, concrete block and all types of metal siding;
 - e. Shading colors with brown or black to create earth tones or tinting colors with white to soften the appearance. Day-glow, fluorescent and other intense colors ***shall*** be prohibited;
 - f. Screening exterior building equipment, including roof top equipment, from view; and
 - g. Altering roof lines, constructing cornices, or parapets that offset the continuous plane of large buildings and extended building lines.
6. Buffer Wall. A solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height:
- a. ***Should*** be constructed on the perimeter property line of non-residential development to mitigate adverse visual, noise and/or light impacts on the abutting use when no comparable buffer exists; and
 - b. ***Shall*** be constructed where the standards of the underlying zone require such a wall for a non-residential use in, or abutting, a RS, R1S, or RM zoning district.
7. Sidewalk Location and Street Trees. Sidewalks ***should*** be located at the property line along streets with street trees, ***Section 3.106***.
8. Solar Access Protection. Obstruction of existing solar collectors on abutting properties by site development ***should*** be mitigated.

3.109 Planned Unit Development Standards (See Figure 6.11)

3.109.01 Types of PUD's

A. Single Family Residential PUD.

A “Single Family Residential PUD” shall consist entirely of property zoned RS and/or R1S. All uses allowed (permitted, special, conditional, specific conditional and accessory) by the underlying zone shall be allowed.

B. Mixed Use PUD.

A “Mixed Use PUD” shall include land zoned either RM, CO, NNC, CG, SWIR, IP or IL, and may include land zoned RS or R1S. All uses allowed (permitted, special, conditional, specific conditional and accessory) by the underlying zone shall be allowed.

3.109.02 Flexible Standards

The design of a PUD plan may be flexible to the extent that it provides for the following design elements in compliance with stated minimum standards. The minimum standards of the *WDO* stated below shall supercede the standards of the underlying zone for a PUD, except the standards of the Nodal Overlay Districts, *Section 2.115*, shall supercede the standards of *Section 3.109.02.B, C, and F*.

A. Minimum PUD Site Area.

A PUD shall comprise a minimum of 5.0 acres under single ownership or control.

B. Minimum Lot Standards in an RS zone.

1. The minimum single family dwelling lot area shall be as follows:

a. Without common open space:

- 1) 6,000 sq. ft. for an interior, flag or cul de sac lot; and
- 2) 8,000 sq. ft. for a corner lot

subject to the dimensional standards of *Section 2.102.06*.

b. With common open space:

- 1) 5,000 sq. ft. for an interior lot, flag or cul de sac, subject to the dimensional standards of **Section 2.102.06**. EXCEPT for the following modified standards:
 - a) Minimum lot width: 55 feet.
 - b) Minimum average lot depth: 90 feet; and
 - 2) 7,000 sq. ft. for a corner lot, subject to the dimensional standards of **Section 2.102.06**. EXCEPT for the following modified standards:
 - a) Minimum lot width: 75 feet.
 - b) Minimum average lot depth: 90 feet
2. The minimum duplex dwelling lot size, as a Special Use, shall be as follows:
 - a. Without common open space: 12,000 sq. ft.
 - b. With common open space: 10,000 sq. ft.
- C. Residential Density Standards.
 1. RS or R1S zone: The maximum residential density shall be 6 dwelling units per gross acre.
 2. RM, CO, NNC or CG zone. The maximum residential density shall be as follows:
 - a. Multiple Family: A maximum of 16 dwelling units per net acre.
 - b. Nursing Care and Assisted Care: A maximum of 32 living units per net acre.
 - c. Manufactured Dwellings in a MDP within a RM zone: A maximum of 12 dwelling units per net acre.
- D. Common Ownership of Land and Facilities within any Zone.
 1. A Property (Home) Owners Association and CC&R's for maintenance shall be required when a PUD includes common land or facilities.

2. Minimum Common Area.
 - a. RS or R1S zone.
 - 1) No minimum common area shall be required when residential density is 4 dwellings or less per gross acre.
 - 2) When common area is provided, a minimum ratio of 0.1 acre per acre of PUD shall be required;
 - 3) A minimum of 0.5 acres of common area shall be required when a common area is provided. The minimum width of a common area shall average 100 feet.
 - 4) Common areas shall be one or more of the following types:
 - a) Natural Areas. Natural areas shall be significant natural resources, including wetlands, creek corridors, woodlands, flood ways, meadows conserved in a virtually undeveloped state. The intent of any man-made improvements should be to enhance opportunities for viewing, studying and other measures to increase the passive enjoyment of the natural setting. Improvements may include paths, educational signs, view points.
 - b) Activity Areas. Activity areas shall be common open space designated, designed and improved for active recreational use. Improvements should accommodate and stimulate active use and may include playgrounds, swimming pools, tennis courts, bar-b-ques and picnic facilities.
 - c) Landscaped Areas. Landscaped areas are areas of common open space that are designed and improved for passive use and visual enhancement. Typical improvements include lighted paths, benches, fountains and other water features, signs identifying plant materials, and formal and informal gardens.
 - b. Medium Density Residential Buildings. The applicable open space and common area requirements of **Section 3.107.05** shall apply.
 - c. All other uses. The common area requirements of the underlying zone shall apply.

E. Architectural Review.

If the hearings authority finds that the CC&R's comprehensively address the intent of all applicable factors in **Section 3.107**, the hearings authority may approve the CC&R's to supercede City architectural design review requirements, **Section 3.107** and procedures in **Section 5.101.01**.

F. Dimensional Standards.

1. The minimum setback for a yard abutting a street in an RS or R1S zone shall be 10 feet EXCEPT that a 20-foot long by 10-foot wide parking pad shall be provided abutting each garage (or carport for a manufactured home) entrance.
2. The minimum setback for an interior rear yard in an RS, R1S or RM zone shall be 20 feet minimum.
3. Off street parking: The narrower local street standards of **Section 3.101** may be applied in compliance with the requirements for compensating common, off street parking.

G. Applicable Standards.

The following standards of the **WDO** shall apply to a PUD:

1. The underlying use zone, or zones of **Section 2.1**;
 2. **Section 3.101**, Street Standards, including street names, **Section 3.101.I**;
 3. **Section 3.102**, Utilities and Easements;
 4. **Section 3.103**, General Lot Standards;
 5. **Section 3.104**, Access;
 6. Buffer Wall. A solid brick or architectural wall with anti-graffiti surface, no less than 6 feet or greater than 7 feet in height, shall be constructed on the perimeter property lines of residential subdivisions where the abutting use is commercial or industrial and no comparable buffer exists;
 7. **Section 3.109.01**; and
- all other applicable requirements of the **WDO** as modified by **Sections 3.109.02, 5.102.03 and 5.103.11**.

H. Applicable Procedures.

The procedures of the **WDO** shall apply to a PUD, including **Section 4.1**.

I. Application Requirements.

The application requirements of the **WDO** shall apply to a PUD, including:

- a. **Section 5.103.07** for a PUD preliminary plan approval,
- b. **Section 5.103.06** for a PUD design plan final approval.
- c. **Section 5.103.05** for a PUD phasing plan approval, and
- d. **Section 5.101.06** for a PUD final plan approval.

J. Description of Applicable Exhibits.

Section 6.101 provides uniform guidelines regarding the exhibits necessary for a PUD application.

3.110 Signs

(Changes are proposed only to Sections 3.110.17 and 3.110.18)

3.110.17 Permitted Signs--Downtown Development and Conservation District (DDC) and Nodal Neighborhood Commercial District (NNC)

Signs in the DDC and NNC Districts shall be subject to the following provisions and all other applicable provisions of **Section 3.110** and the **WDO**.

A. Monument Signs.

1. A monument sign is permitted on a single tenant site or complex.
2. A monument sign shall not exceed five feet in height and 20 square feet in area.

B. Wall Signs.

1. Wall signs are permitted on a primary building frontage. Such signs shall not cover more than four percent of the building wall on a single tenant building or each tenant's leased wall on a multiple tenant building and shall not exceed a maximum area of 50 square feet. However, a minimum sign area of 16 square feet shall be permitted for each single tenant building or tenant in a multiple tenant building. Only one building wall shall be designated as the primary building frontage.
2. Wall signs are permitted on secondary building frontages. Such signs shall not cover more than two percent of the building wall on a single tenant building or each tenant's leased wall on a multiple tenant building and shall not exceed a maximum area of 30 square feet. However, a minimum sign area of 12 square feet is allowed for each single tenant building or tenant in a multiple tenant building.

C. Readerboards.

Mechanical and electronic changeable copy readerboards are permitted. Readerboards are permitted on monument signs only. Readerboards shall be integrated into the overall sign to appear as a single unit and shall not comprise more than 50 percent of the total sign display surface.

D. Awning and Marquee Signs.

Signs on awnings and marquees are permitted as wall signs, except that internally illuminated awning signs are prohibited. Signs on awnings and marquees shall not extend above or below the awning or marquee.

E. Projecting Signs.

One projecting sign is permitted on a single tenant site or complex for each street or alley frontage. However, no projecting sign shall be permitted on a single tenant site or complex where there is a monument sign on the same street frontage. Projecting signs shall not exceed an area of 12 square feet and shall be located a minimum of eight feet above the ground. Such signs shall not project more than four feet from a building wall.

F. Suspended Signs.

One suspended sign is permitted for each entrance to a building or tenant space. Such sign shall not exceed an area of six square feet and shall be located a minimum of eight feet above the ground. Such sign shall not project past the outer edge of the roof structure.

G. General Standards.

1. Projecting signs shall be subject to approval of a Type II application pursuant to **Section 3.110.05.C.1.b.**
2. Illumination: Externally or internally illuminated signs are permitted and such signs shall not cause glare.

3.110.18 Permitted Signs—Industrial Districts (IP, IL, and SWIR)

Signs in the IP, IL, and SWIR Districts shall be subject to the following provisions and all other applicable provisions of **Section 3.110** and the **WDO**.

A. Monument Signs.

1. One monument sign is permitted on a single tenant site or complex.
2. In a complex, one additional monument sign is permitted if the complex has at least two street frontages that each exceed 300 lineal feet.
3. Monument signs on a street frontage with less than 300 lineal feet of frontage shall not exceed six feet in height and 32 square feet in area.
4. Monument signs on a street frontage with 300 lineal feet or more of frontage shall not exceed eight feet in height and 50 square feet in area.

B. Wall Signs.

1. Wall signs are permitted on a primary building frontage. Such signs shall not cover more than four percent of the building wall on a single tenant building or each tenant's leased wall on a multiple tenant building and shall not exceed a maximum area of 150 square feet. However, a minimum sign area of 16 square feet shall be permitted for each single tenant building or tenant in a multiple tenant building. Only one building wall shall be designated as the primary building frontage.
2. Wall signs are permitted on secondary building frontages. Such signs shall not cover more than two percent of the building wall on a single tenant building or each tenant's leased wall on a multiple tenant building and shall not exceed a maximum area of 75 square feet. However, a minimum sign area of 12 square feet is allowed for each single tenant building or tenant in a multiple tenant building.

C. Readerboards.

Mechanical and electronic changeable copy readerboards are permitted. Readerboards are permitted on monument signs only. Readerboards shall be integrated into the overall sign to appear as a single unit and shall not comprise more than 50 percent of the total sign display surface.

D. Awning and Marquee Signs.

Signs on awnings and marquees are permitted as wall signs, except that internally illuminated awning signs are prohibited. Signs on awnings and marquees shall not extend above or below the awning or marquee.

E. Projecting Signs.

One projecting sign is permitted on a single tenant site or complex. However, no projecting sign shall be permitted on a single tenant site or complex where there is a monument sign. Projecting signs shall not exceed an area of 20 square feet and shall be located a minimum of eight feet above the ground. Such signs shall not project more than four feet from a building wall.

F. Suspended Signs.

One suspended sign is permitted for each entrance to a building or tenant space. Such sign shall not exceed an area of six square feet and shall be located a minimum of eight feet above the ground. Such sign shall not project past the outer

edge of the roof structure.

G. General Standards.

1. Monument signs within the same complex shall be located a minimum of 100 feet apart.
2. Illumination. Externally or internally illuminated signs are permitted and such signs shall not cause glare.

4.1 ADMINISTRATION AND PROCEDURES

(Changes are proposed only to Section 4.101.09)

4.101.09 Public Notices: Type II, III, IV and V

All public notices issued by the City for Type II, III, IV, and V decisions shall comply with the requirements of this *Section*.

A) Mailed Notice.

1 Type II. After the Community Development Director has deemed a Type II application complete, the Community Development Director shall issue a decision. The City shall send notice of the decision, by first class mail, to all record owners of property within 250 feet of the subject property, any City recognized neighborhood associations whose territory includes the subject property. The City's Type II notice of decision shall include the following information:

- a. An explanation of the nature of the application and the proposed use or uses which could be authorized;
- b. Street address or other easily understood location of the subject property;
- c. The name and telephone number of the planning staff person assigned to the application or is otherwise available to answer questions about the application;
- d. A statement that the application and all supporting materials may be inspected at no cost, and copies may be obtained at reasonable cost, at City Hall during normal business hours;
- e. State that the decision will not become final until the period for filing an appeal to the City Council has expired and that the decision cannot be appealed directly to the Land Use Board of Appeals; and
- f. An explanation of appeal rights, including that any person who is adversely affected or aggrieved or who is entitled to written notice of the decision may appeal the decision.

2. Type III or IV. Notice for all initial evidential public hearings concerning Type III and IV decisions shall conform to the requirements of this subsection. At least 20 days before a Type III initial evidentiary hearing, or at least 10 days before the first hearing of a Type IV application the Director shall prepare and send, by first class mail, notice of the hearing to all record owners of property within 250 feet of the subject property and to any City-recognized neighborhood association whose territory includes the subject property. If an application would change the zone of property that includes any part of a mobile home or manufactured dwelling park, notice shall also be mailed to the tenants at least 20 days before but not more than 40 days before the initial evidentiary hearing. Notice of the application hearing shall include the following information: [Section 4.101.09.A.2 as amended by Ordinance No. 2383, §54, passed March 16, 2005.]
 - a. The time, date and location of the public hearing;
 - b. Street address or other easily understood location of the subject property and City-assigned planning file number;
 - c. A description of the applicant's proposal, along with a list of citations of the approval criteria that the City will use to evaluate the proposal;
 - d. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or before the hearing and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
 - e. A statement that any issue which is intended to provide a basis for an appeal to the City Council must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue;
 - f. A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge and that copies may be obtained at reasonable cost at City Hall during normal business hours;
 - g. The name and telephone number of the planning staff person responsible for the application or is otherwise available to answer questions about the application; and

- h. A statement advising that ADA access may be accommodated, upon receipt of a timely request.
- 3. Type V. At least 20 days before an initial evidentiary public hearing at which a Type V decision is to be considered, the Director shall issue a public notice that conforms to the requirements of this subsection and any applicable state statute. Notice shall be sent to affected governmental entities, special districts, providers of urban services, the Oregon Department of Transportation and any affected recognized neighborhood associations and any party who has requested in writing such notice. [Section 4.101.09.A.3 as amended by Ordinance No. 2383, §55, passed March 16, 2005.]

Notice shall also be published in a newspaper of general circulation within the City. Notice issued under this subsection shall include the following information:

- a. The time, date and location of the public hearing;
- b. The City-assigned planning file number and title of the proposal;
- c. A description of the proposal in sufficient detail for people to determine the nature of the change being proposed;
- d. A statement that any interested party may testify at the hearing or submit written comments on the proposal at or before to the hearing;
- e. The name and telephone number of the planning staff person responsible for the proposal and who interested people may contact for further information; and
- f. A statement advising that ADA access may be accommodated, upon receipt of a timely request.

B. Posted Notice. Type III and IV.

Notice of an initial evidentiary public hearing for a Type III or IV decision shall be posted on the subject property as follows: [Section 4.101.09.B as amended by Ordinance No. 2383, §56, passed March 16, 2005.]

1. City Posting. The Community Development Director shall post all required notices.
2. Number and Location. The Community Development Director shall post a notice on each frontage of the subject property. If the property's frontage exceeds 600 feet, one copy of the notice shall be posted for each 600 feet or fraction thereof. Notices shall be posted within ten feet of the street and shall be visible to pedestrians and motorists.
3. Timing of Notice. The notice shall be posted at least 10 days prior to a public hearing. Once posted, the Director need not maintain a posted notice. The Community Development Director shall remove all signs within ten days following the event announced in the notice.

C. Published Notice. Type IV and V.

The Community Development Director shall publish a notice of a Type IV or V public hearing as described in this subsection, unless otherwise specified by statute. The notice shall be published in a newspaper of general circulation within the City at least 7 days prior to the hearing. Such notice shall consist of:

1. The time, date and location of the public hearing;
2. The address or other easily understood location of the subject property and the City-assigned planning file number;
3. A summary of the principal features of the application or legislative proposal; and
4. Any other information required by statute for an annexation or other hearing procedure.

D. Notice to Affected Agencies.

1. Prior to issuing a decision regarding a Preliminary Partition Approval (*Section 5.102.01*) or Access to a City Major or Minor Arterial Street (*Section 5.102.04*), the Community Development Director shall distribute such applications that require preparation of a Transportation Impact Analysis to affected transportation facility and service providers and owning jurisdictions. These agencies shall be given 30 calendar days to review the application and to suggest any revisions in the public's interest to protect the operation of transportation facilities and services.

2. Type IV applications and Type III applications for Preliminary PUD Approval (*Section 5.103.07*), Preliminary Subdivision Approval (*Section 5.105.09*) and Conditional Use Permits (*Section 5.103.01*) for transportation system facilities and improvements that require a Transportation Impact Analysis shall be sent to affected transportation facility and service providers and owning jurisdictions. These agencies shall be given 30 calendar days to review the application and to suggest any revisions in the public's interest to protect the operation of transportation facilities and services.

5.104 Type IV Application Requirements

(Changes are proposed only to Sections 5.104.01, 5.104.02 and 5.104.04)

5.104.01 Annexation

- A. Purpose. The purpose is to provide a procedure to incorporate contiguous territory into the City of Woodburn in compliance with state requirements and the Woodburn Comprehensive Plan.
- B. Mandatory Pre-Application Conference.
 - 1. Annexation proposals are subject to a mandatory Pre-application Conference. The Conference shall be conducted pursuant to ***Section 4.101.04***.
 - 2. Pre-Application materials. Anyone proposing an annexation shall submit the following materials when applying for the Mandatory Pre-Application Conference:
 - a. A preliminary site plan and phasing program for the proposed use and development;
 - b. Certification by the Public Works department of the adequate capacity of public facilities to serve the proposed development or that facilities necessary to provide adequate capacity must be determined;
 - c. Written documentation from the School District regarding adequate capacity, considering current and future enrollment and facilities, to serve the proposed development and from the Fire District regarding adequate capacity and access to serve the proposed development;
 - d. Traffic generation data regarding the proposed development sufficient to determine the need for a Traffic Impact Analysis;
 - e. Consent to annex all property that would be surrounded by the City if the annexation were approved, or written documentation regarding why such consent is unavailable; and

- f. Written narrative statement showing compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.
- C. Annexation Application Requirements. An application shall include a completed City application form, filing fee, deeds, notification area map and labels, narrative statement regarding compliance with criteria, location map and the following additional exhibits:
 - 1. A fully executed Annexation Petition, submitted on forms provided by the City of Woodburn;
 - 2. An accurate legal description in a form certifiable the State Department of Revenue according to ORS 308.225;
 - 3. Complete applications for all concurrent Comprehensive Plan Map amendment and/or Zoning Map change requests.
- D. Application Criteria.
 - 1. Annexation
 - a. Findings showing compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation, with the applicant bearing responsibility for the burden of proof.
 - b. Territory to be annexed
 - 1) Shall be contiguous to the City of Woodburn; and
 - 2) Shall either:
 - a) Link to master plan public facilities with adequate capacity to serve development of the uses and densities indicated by the Woodburn Comprehensive Plan; or
 - b) Guarantee the facility linkages with adequate capacity, financed by the applicant.
 - c. Annexations shall show a demonstrated community need for additional territory and development based on the following considerations:

- 1) Lands designated for residential and community uses should demonstrate substantial conformance to: a), b), and e) and at least one of c) (i), c) (ii) or d), as stated below; and [Section 5.104.01.D.1.c.1 as amended by Ordinance No. 2383, §66, passed March 16, 2005.]
- 2) Lands designated for commercial, industrial and other uses should demonstrate substantial conformance to: h) and either f) or g), as stated below:
 - a) Infill. The territory to be annexed should be contiguous to the City on two or more sides;
 - b) Residential Buildable Land Inventory. The territory to be annexed should not increase the inventory of buildable land designated on the Comprehensive Plan as Low or High Density Residential within the City to more than a 5-year supply;
 - c) Street Connectivity. It is feasible for development of the site to either:
 - (i) Complete or extend the arterial/collector street pattern as depicted on the Woodburn Transportation System Plan; or
 - (ii) Connect existing stub streets, or other discontinuous streets, with another public street.
 - d) Community Need. The proposed development in the area to be annexed fulfills a substantial unmet community need, that has been identified by the City Council after a public hearing. Examples of community needs include park space and conservation of significant natural or historic resources.
 - e) Reinforcement of Public Investment. The territory proposed for annexation should reflect the City's goals for directing growth by using public facility capacity that has been funded by the City's capital improvement program;

- f) Local Employment. The proposed use of the territory to be annexed shall be for industrial or other uses providing employment opportunities;
 - g) Reasonable Facility and Service Needs. The proposed industrial or commercial use of the territory does not require the expansion of infrastructure, additional service capacity, or incentives that are in excess of the costs normally born by the community for development;
 - h) Economic Diversification. The proposed industrial or commercial use of the territory provides an economic opportunity for the City to diversify its economy.
- d. Right to Farm Covenant. An application to annex land that is designated Low or Medium Density Residential on the Comprehensive Plan Map shall include a covenant on such property to be annexed where the owners, their successors, heirs, assigns and lessees, accept possible impacts from farming practices as normal, necessary and part of the risk of establishing a dwelling, structure, or use in the area; acknowledge the need to avoid activities that conflict with farming practices on nearby property; and, covenant not to pursue any claim for relief or cause of action alleging injury from farming practices for which no action is specifically allowed under **ORS 30.936 or 30.937**.

E. Procedures.

- 1. Annexation Initiated by Consent. **[ORS 222.125 and 222.170 (2)]** An annexation may be initiated by petition based on the written consent of:
 - a. The owners of more than half of the territory proposed for annexation and more than half of the resident electors within the territory proposed to be annexed; or
 - b. One hundred percent of the owners and fifty percent of the electors within the territory proposed to be annexed; or
 - c. A lesser number of property owners.

2. If an annexation is initiated by Section 5.104.01.E.1.c., after holding a public hearing and if the City Council approves the proposed annexation, the City Council shall call for an election within the territory to be annexed. Otherwise no election on a proposed annexation is required.
3. City Initiated Annexation of an Island. An island is an unincorporated territory surrounded by the boundaries of the City. The Oregon Revised Statutes (ORS) enables the City to initiate annexation of an island (ORS 222.750), with or without the consent of the property owners or the resident electors. Initiation of such an action is at the discretion of the City Council.

5.104.02 Comprehensive Plan Map Change, Owner Initiated

- A. Purpose: The purpose is to provide a procedure for the consideration of a change in use designation on the Woodburn Comprehensive Plan, initiated by the property owner.
- B. Application Requirements. An application shall include a completed City application form, filing fee, deeds, notification area map and labels, written narrative statement regarding compliance with criteria, location map and the following additional exhibit:

1. Transportation Impact Analysis (TIA), as applicable.

The application shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. If the review indicates that a transportation facility could be significantly affected, a TIA may be required. Significant means the proposal would:

- a. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Transportation System Plan; or
- b. Change the standards implementing a functional classification system; or
- c. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or

- e. Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.
- C. Criteria. The applicant shall bear the responsibility for the burden of proof.
 - 1. Proof that the current Comprehensive Plan Map is in error, if applicable.
 - 2. Substantial evidence showing how changes in the community warrant the proposed change in the pattern and allocation of land use designations.
 - 3. Substantial evidence showing how the proposed change in the land use designation complies with:
 - a. Statewide Planning Goals and Oregon Administrative Rules;
 - b. Comprehensive Plan goals and policies; and
 - c. Sustains the balance of needed land uses within the Woodburn Urban Growth Boundary.
 - 4. Amendments to the comprehensive plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
 - a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or
 - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
 - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.

5.104.04 **Zoning Map Change, Owner Initiated**

A. Purpose: The purpose is to provide a procedure to change the Zoning Map use designation, in a manner consistent with the Woodburn Comprehensive Plan.

B. Application Requirements. An application shall include a completed City application form, filing fee, deeds, notification area map and labels, written narrative statement regarding compliance with criteria, location map and the following additional exhibit:

1. Transportation Impact Analysis (TIA), as applicable.

The application shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. If the review indicates that a transportation facility could be significantly affected, a TIA may be required. Significant means the proposal would:

- a. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal causes future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Transportation System Plan; or
- b. Change the standards implementing a functional classification system; or
- c. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or
- d. Reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

C. Criteria. The applicant shall bear the responsibility for the burden of proof.

- 1. Evidence proving a need for the proposed use and the other permitted uses within the proposed zoning designation.
- 2. Evidence that the subject property best meets the need relative to other properties in the existing developable land inventory already designated with the same zone considering size, location, configuration, visibility and other significant attributes of the subject property.

3. Amendments to the comprehensive plan, zoning map and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
 - a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or
 - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
 - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.

D. Delineation.

Upon approval, a zone change shall be delineated on the official zoning map by the Community Development Director. A zone change subject to specific conditions shall be annotated on the official zoning map to indicate that such conditions are attached to the designation.

6.101 Description of Application Exhibits

(Changes are proposed only to Section 6.101.01.Q)

Q. Transportation Impact Analysis (TIA) Requirements.

A Transportation Impact Analysis required for either a street (or access to a street) that is under City jurisdiction, a comprehensive plan map change, or a zoning map change shall be conducted to the specifications of the Public Works Department.

Figure 6.6 Street: Typical Cross Sections

(Delete Figure 6.6)